

DESIGNATED PILOT EXAMINER ADVISORY GROUP WP-07

EXAMINER BULLETIN NO. 8

NOVEMBER 30, 2003

SUBJECT: PROCEDURE TO FOLLOW WHEN AN APPLICANT FOR A FLIGHT TEST DOES NOT HAVE THE FAR PART 61 AERONAUTICAL EXPERIENCE FOR A PREVIOUSLY ISSUED OPERATING CERTIFICATE OR PRIVILEGE.

HISTORY: The DPEAG corresponded with Mr. Paul J. Maenza, Program Manager at the Designee Standardization Branch (AFS-640), in Oklahoma City, regarding the discovery of training/aeronautical experience discrepancies in pilot logbook records discovered during the course of conducting a higher level, or add-on rating, pilot certification flight check. The results of that correspondence, and further discussion with the local FSDO has resulted in the following policy.

Example: An applicant comes to an examiner for the purpose of obtaining an additional class rating added to their commercial certificate. Specifically, Airplane Multi engine Land added to their airplane single engine land commercial certificate. Upon review of the applicant's logbook it is noted that the five hour night solo requirement had not been met, however they had been given a commercial pilot certificate practical test on a previous date which the applicant passed and therefore was issued a commercial certificate.

This discrepancy may be traced to errors in recording the time or changing logbooks, for example. If you determine that it was an oversight by the previous designated examiner or aviation safety inspector who administered the previous flight test then **YOU SHOULD NOT DO THE FLIGHT TEST**. It would not be appropriate to continue the error and double the problem by administering another certification action on top of the original discrepancy. An applicant must complete all required training and attain all required aeronautical experience to hold the certificate they are seeking, this includes the experience required by the FAR's for the previous certificate.

The correction may be as simple as the applicant correcting the recording error (math, transposition of numbers, etc), if that was the problem and continue the flight test. On the other hand you may need to send the applicant home to receive the missing flight time or training.

A main reason for insisting on having the proper time logged is to encourage the applicant to comply with the certification requirements of FAR Part 61. Another, non legal reason is, if anything goes wrong e.g. accident or incident, the major thing any insurance company does is check the aircraft and pilot records to verify information. Non compliance is justification for non-payment of claims.

As a DPE we are attempting to instill awareness and integrity in all pilot applicants and to inspire understanding and adherence to the FAR's. You may encounter an applicant who challenges the decision to discontinue the flight check based on the fact they have the prerequisites to apply and take the flight check they came to see you for. Do not compound

the problem by administering a flight check for another certificate. If you believe the applicant will leave you and seek another DPE to conduct their flight check without correcting the problem, it is best to involve the DPEAG and the local FSDO.

ACTION:

The following procedure has been developed by the DPEAG to assist the DPE who encounters the above problems when administering a certification flight check.

1. If upon review of the applicant's records for the certificate they are applying for, you discover that the certificate they presently hold was earned without meeting the prerequisites for that certificate, do not begin the practical test.
2. Advise the applicant of specific aeronautical experience/training requirements that they have not met and document the deficiency on the attached "Letter of advisement of Training Deficiency". (LOATD)
3. If the errors are in recording they may correct them there or go back to the instructor, review and return for a rescheduled flight test with appropriate endorsements, if necessary.
4. If you believe the applicant does not have the required experience, complete the LOATD with both you and the applicant signing it. Inform the applicant they will be required to complete the training or obtain the missing aeronautical experience prior to applying for the current certification flight check.
5. Make arrangements to reschedule the practical test.
6. If you believe the applicant will not comply with the FAR's and will seek a certification flight check with another DPE or inspector in this FSDO or another FSDO, collect the LOATD form, the 8710 AND SEND BOTH TO THE Scottsdale FSDO and advise the DPEAG.
7. Advise the applicant that they should make an appointment with the FSDO to get verification the training requirements have been met. The FSDO will advise the DPEAG when the applicant has provided verification.

As a DPE you have the authority and responsibility to review the logbook records of any applicant seeking a certification flight test. The above problems are predicated on activities that we have encountered within the Arizona pilot community. In a scenario where it has been years since the applicant's last certification flight test and there is an abundance of flight time entered or there are numerous logbooks, it is best to consult with your POI or the program manager at the FSDO if you have a problem.

While it is not a DPE duty to enforce the rules, we are responsible to ensure that our pilot applicants meet all certification requirements. The DPE has the authority to accept or reject any pertinent record of experience being used to meet the requirements of the rule. If there are any questions where you doubt the authenticity of the logbook entries, consult with the FSDO. Remember, fraudulent entries are a federal offence and are subject to strict enforcement.

Tom Funk , Member, DPEAG

LETTER OF ADVISEMENT OF TRAINING DEFICIENCY

Date: _____
(Month/Day/year)

Applicant's Name _____
(Last, First, Middle) (Printed)

Applicant's Certificate Number _____ Date Issued: _____

Title of Practical Test: _____

Training Deficiency:

(Note Specific Training Deficiency)
(Optional: Reference CFR)

Attachment: Form 8710 (collect and attach for reschedule or submission to FSDO)

Applicant's Signature: _____

Examiner's Name _____
(Printed)

Examiner's Number: _____

Examiner's Signature: _____

Reference FAR Part 141: The following steps are the procedures for deficiencies found under Part 141

1. When unsure of the flight time requirements when the applicant has trained under a Part 141 course, attach a copy of the Part 141 Graduation Certificate to the airman file.
2. If the applicant cannot provide the examiner a copy of the Part 141 Graduation Certificate have the applicant sign the following statement below.

Cut along dotted line and attach to airman file

I, _____, certify that I have previously graduated from a course of
Applicant's Name (printed)

training _____, under FAR Part 141
(Course Title)

for the _____ (certificate/rating)

Signed _____ Date: _____
(Applicants Signature) Mo./Day/Yr.

