

**Title 14—Aeronautics and Space**  
**CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION**

[Docket No. 14245, Amdt. No. 121-136]

**PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT**

**Proficiency Check Requirements**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment allows a pilot-in-command to satisfy the proficiency check requirements without performing the maneuver to a landing with simulated powerplant failure during each required proficiency check or course of training. The amendment is needed to provide greater operational flexibility and to lessen the need to perform the maneuver in an airplane if the visual simulator is inoperative.

**EFFECTIVE DATE:** August 29, 1977.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Raymond E. Ramakis, Regulatory Projects Branch, Safety Regulations, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Telephone 202-755-8718.

**SUPPLEMENTARY INFORMATION:**

**HISTORY**

This amendment is based on a notice of proposed rule making (Notice No. 76-17) published in the *FEDERAL REGISTER* on August 26, 1976 (41 FR 36036). That notice invited comment by all persons interested in the making of the proposed rule. All persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all matters presented. Four commentators responded to Notice No. 76-17 and all support adoption of the proposal.

**DISCUSSION OF COMMENTS**

One commentator expressed concern regarding two aspects of the proposal.

Opposition was expressed to the requirement that the maneuver be observed by a check airman during the preceding proficiency check or simulator course of training. It was noted that some air carriers use instructors rather than check airman to conduct simulator courses of training and this would compromise their usefulness. The FAA believes that while the subject maneuver may be omitted from a simulator course of training or a proficiency check, the rule should provide that an individual be checked on the maneuver at least once a year by an FAA-designated check airman. If, as the commentator suggests, an individual accomplishes the maneuver during a course of training conducted by a simulator instructor not designated as a check airman, then the maneuver could be omitted on the subsequent proficiency check, and if the cycle continued, the individual could indefinitely avoid being checked on the maneuver by an FAA-designated check airman. This is not the intent of the amendment.

The commentator noted that the proposal would require completion of a proficiency check or course of training within the preceding six calendar months, in order to take advantage of the flexibility to omit the simulated powerplant failure maneuver. Concern was expressed over the effect that this requirement would have on the "grace month" provision of § 121.401(b) of the Federal Aviation Regulations. It is not the intent of this amendment to nullify the grace month rule and reference to the preceding six calendar months has been deleted. Instead, the amendment refers to the preceding proficiency check or simulator course of training under a check airman, whichever was completed later.

Another commentator stated that Notice 76-17 did not properly respond to the overall need for improved visual simulation and that it may encourage airlines to postpone acquisition of improved visual systems. This comment is outside the scope of the notice and is not considered in this rulemaking action.

**DRAFTING INFORMATION**

The principal authors of this document are William T. Brennan, Air Carrier Regulations Branch, Flight Standards Service, and Peter J. Lynch, Office of the Chief Counsel.

**ADOPTION OF THE AMENDMENT**

Accordingly, Appendix F of Part 121 of the Federal Aviation Regulations (14 CFR Part 121) is amended, effective August 29, 1977, by deleting the last sentence in paragraph V(d)(2) and by adding a sentence to the flush paragraph immediately following that paragraph, as follows:

**APPENDIX F—PROFICIENCY CHECK REQUIREMENTS**

**V. Landings and approaches to landings:**

(d) Maneuvering to a landing with simulated powerplant failure as follows:

(1) In the case of 3-engine airplanes, maneuvering to a landing with an approved procedure that approximates the loss of two powerplants (center and one outboard engine); or

(2) In the case of other multiengine airplanes, maneuvering to a landing with a simulated failure of 50 percent of available powerplants, with the simulated loss of power on one side of the airplane.

Notwithstanding the requirements of subparagraphs (d)(1) and (d)(2) of this paragraph, in a proficiency check for other than a pilot-in-command, the simulated loss of power may be only the most critical powerplant. However, if a pilot satisfies the requirement of subparagraph (d)(1) or (d)(2) of this paragraph in a visual simulator, he also must maneuver in flight to a landing with a simulated failure of the most critical powerplant. In addition, a pilot-in-command may omit the maneuver required by subparagraph (d)(1) or (d)(2) of this paragraph during a required proficiency check or simulator course of training if he satisfactorily performed that maneuver during the preceding proficiency check, or during the preceding approved simulator course of training under the observation of a check airman, whichever was completed later.

(Secs. 313(a), 601, 602, 604, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1424); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

**NOTE.**—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on August 22, 1977.

LANGHORNE BOND,  
Administrator.

(As published in the Federal Register 42 F.R. 43388 on August 29, 1977)