



Coalition of Airline Pilots Associations

Talking Points:

“FAA’s NPRM for Flight Time/Duty Time (FT/DT)”

Representing over 28,000 professional pilots at American Airlines, Southwest Airlines, US Airways, UPS, Horizon Air, ABX Air, Southern Air, Atlas Air Cargo, Kalitta Air, Polar Air Cargo, Gulfstream Air, Cape Air, Miami Air, Omni Air and USA 3000.

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CAPA Talking Points: Flight Time/Duty Time (FT/DT)

The Coalition of Airline Pilots Associations (CAPA), representing over 28,000 commercial airline pilots, would like to recommend a number of modifications to the current FAA “NPRM for Flight Time/Duty Time (FT/DT)” as currently proposed. The FAA has recently been charged by Congress and the Administration to develop a set of comprehensive new rules utilizing the best available science, which would reduce the risks associated with fatigue, along with the hazards it presents to the safe conduct of commercial airline flight operations.

These changes are long overdue and indeed *several provisions within the current proposal actually run counter to intuition and common sense*. In some cases and under certain conditions, the new regulations would actually increase the number of hours flown in a given period from current levels; others would reduce the quality and frequency of rest periods available to a working pilot.

The following represent CAPA’s suggestions to the areas where improvement or modifications be made to the NPRM:

1. **One Level of Safety** for all commercial flight operations. We applaud the FAA’s willingness to apply the same rules to all air passenger and cargo operators. CAPA is pleased to see that this NPRM recognizes that pilots are human beings and all are subject to the same biological principles and share the same airspace. It is imperative to resist efforts to carve out special rules based on business models rather than fatigue science.

CAPA does not support any form of “cut-out” or waiving of regulatory language for certain types of operations.

2. **Block Hour limit**: CAPA appreciates the recognition by the FAA that the current practice of utilizing a basic maximum daily limit of 8-hours at the flight controls is unrealistic. Because it *only* applies to the *scheduled* flight sequence, it frequently

leads to flights actually exceeding the 8-hour limit and results in operations that can lead to fatigue. The proposed “hard” limit on the actual or planned flight is a great step forward.

However, under the current proposal:

- a. The maximum allowable block hour limit is *increased to 10 hours*. **This represents a 25% increase in flying over the *current* FAA maximums.**
- b. The weekly limit of “30 hours flying in 7 days” is eliminated. The weekly limit is now based on duty periods and could result in up to 50 flight hours per week.
- c. There is no scientific data to support to show that increasing flight hours worked will reduce fatigue. Common sense would suggest these increases would only increase the risk of fatigue.

CAPA supports a “hard” limit of 8 hours of block time for a non-augmented crew.

3. **Rest**: The NPRM proposes 9 hours as the minimum break after a full day of flying for both domestic and international flying.
 - a. **9 hours** - even at the rest facility - **does not provide the opportunity for 8 hours of sleep**; to say nothing of nutrition and exercise.
 - b. **The NPRM would allow for a 44% reduction of rest for international long-haul flying; ignoring the fatigue affects of multiple time zone/longitudinal changes.**

CAPA urges an absolute minimum rest period of 10 hours for domestic flying; and 14 hours for international flying.

4. **Augmentation**: This NPRM increases the amount of time that can be flown without a relief pilot or with a single relief pilot. The NPRM also allows for the degradation of the current crew rest seat/bunk requirements. This new change would *increase fatigue* on long-haul international flights.

CAPA strongly urges no change to the current crew augmentation schedule of “3 pilots over 8 hours”, and “4 pilots over 12 hours”; *the FAA should at all times adhere to the NPRM outlined rest facilities.*

5. **Night Duties:** Currently, there is no limit to the number of consecutive nights that can be flown (subject to weekly 24-hour rest). The NPRM would place a limit of “3 consecutive duty periods” during the Window of Circadian Low (WOCL). CAPA believes that this limit is *overly restrictive* and would have *serious unintended consequences* that could *increase cumulative fatigue*.

CAPA recommends that a 4th consecutive duty period be allowed, but only after a longer intervening rest period or in conjunction with night-time rest breaks.

6. **FRMS:** The Fatigue Risk Management System (FRMS) proposal is excessively vague in both content and implementation. Many parties have privately indicated that they feel the FRMS program will allow them to circumvent the new regulatory scheme.

CAPA strongly urges the FAA to develop specific rules and requirements that must be followed by all carriers under any adopted FRMS, and that acceptance by all stakeholders including pilots, should be mandated. The FRMS must be an additional layer of protection for both pilots and the flying public; not a mechanism that allows airline operators to work around important safety aspects of the new regulations.

Thank you for the opportunity to comment on this critical development in aviation safety. Please contact us directly with any additional questions or information.

Attachment: FT/DT Issue Summary

Flight Time/Duty Time: ISSUE SUMMARY

Provided below is a table summarizing the FT/DT issues, current requirements, NPRM proposals and CAPA’s position on how the proposals *affect the safety of commercial flight operations*.

FT/DT Issue	CURRENT FAA Requirement	FAA-Proposed “NPRM”	CAPA Recommendations:
Cargo Cutout	Different levels of safety for cargo vs. passenger carriers	<u>One FT/DT standard</u>	<u>One FT/DT standard</u>
Flight Time Limit	<ul style="list-style-type: none"> • 8 hours block, Non-augmented • Maximum of 30 hours flying in 7 days (30/7) 	<p style="color: red;"><u>Up to 10 hours, Non-augmented</u></p> <ul style="list-style-type: none"> • 25% increase in flight time • No 30/7 limit • Not science-based 	<ul style="list-style-type: none"> • 8 hours block, Non-augmented • Add a “weekly block time limit” coupled with a “bi-weekly FDP” (flight duty period) limit.
Minimum Rest Requirement	<ul style="list-style-type: none"> • Domestic: 8 hours, off-duty. • Non-augmented International: twice the flying time off. • Travel-time to hotel included 	9 hours, at the hotel	<ul style="list-style-type: none"> • Domestic: 10 hours, at the hotel • International: 14 hours, at the hotel
Augmentation/Relief Pilots	<p><u>Greater than 8 hours:</u> 1 pilot + (1) seat</p> <p><u>Greater than 12 hours:</u> 2 pilots + bunks</p>	<p style="color: red;"><u>Greater than 10 hours:</u> 1 pilot + (1) seat</p> <p style="color: red;"><u>Greater than 15 hours:</u> 2 pilots, No bunk required</p> <ul style="list-style-type: none"> • Permits domestic augmentation 	<p><u>Greater than 8 hours:</u> 1 pilot + (1) seat</p> <p><u>Greater than 12 hours:</u> 2 pilots + bunks</p> <ul style="list-style-type: none"> • Limit 2 legs • No domestic augmentation
Night Duty	No restrictions	<u>Limit of 3</u> consecutive WOCL (night) duty periods	Allow a 4 th night of duty, but increase rest requirement before the last duty period.
FRMS (Fatigue Risk Management System)	None required	<ul style="list-style-type: none"> • Requires “company-developed program” to gain relief from rules. <p style="color: gray;"><i>Seems contrary to the purposes of this reform?</i></p>	<ul style="list-style-type: none"> • Require any program to contain specific requirements; • Must be scientifically-based; • Increase the level of safety over the proposed regulations; • Mandate stakeholder participation