

◦ The FAA does not conduct periodic audits for financial capability in commuter air carrier operations as it does in certificated supplemental air carrier operations.

5. FAA Regulations

◦ Initial qualification requirements are not adequate to insure the proficiency of commuter airline pilots.

◦ The majority of air taxi operators have formulated satisfactory crewmember training curriculum. However the requirements for maintenance training programs were found to be marginal.

◦ Implementation of initial and recurrent training programs are considered marginal to establish and maintain proficiency of crew members.

◦ There are no daily, weekly, or monthly flight and duty time limitations provided for in FAR 135.

◦ There are no requirements in FAR 135 for minimum equipment lists, or limiting of continued flight with certain inoperative components.

◦ Application of FAR 135 is difficult to interpret and enforce due to the wide variations in both the operations being regulated as well as the variations in operator and FAA inspector interpretations of the regulations.

◦ The less stringent regulatory requirements placed upon the air taxi/commuter industry result in a level of safety lower than that of the certificated air carrier industry.

6. Recommendations

On the basis of the findings discussed in this report, the National Transportation Safety Board recommends that:

The Federal Aviation Administration:

1. Expedite redrafting of FAR 135 in its entirety, recognizing that commuter air carrier operators are

separate entities from the smaller air taxi charter operators. (Recommendation A-72-171)

2. Establish and maintain a separate listing of all current holders of air taxi operator certificates to permit the identification of each operator by type service being performed. (Recommendation A-72-172)
3. Expedite proposed programs to assure the financial ability of each commuter air carrier and air taxi operator holding interline agreements to conduct safe operations. (Recommendation A-72-173)
4. Amend FAR 135 to include qualification requirements applicable to the Director of Operations, Chief Pilot, Director of Maintenance, and Chief Inspector in all commuter air carrier operations. (Recommendation A-72-174)
5. Amend FAR 135 to provide that a qualified individual be delegated by each commuter air carrier to act in the capacity of safety officer and to monitor all safety aspects of the overall flight and maintenance operations. (Recommendation A-72-175)
6. Amend FAR 135 to require that the pilot-in-command in air taxi commuter air carrier operations hold a current Air Transport Pilot rating. (Recommendation A-72-176)
7. Amend FAR 135.127 to prohibit the use of part-time or nonpaid second-in-command pilots in commuter air carrier operations. (Recommendation A-72-177)
8. Amend FAR 135.136 to provide for daily, weekly, and monthly flight and duty time limitations. (Recommendation A-72-178)
9. Amend FAR 135.136 to provide that all flying, including private as well as commercial, shall not exceed the prescribed flight and duty time

set forth in this section. (Recommendation A-72-179)

10. Amend FAR 135.75 and 135.99 to clarify the operating conditions and limitations for Instrument Flight Rules (IFR) and Visual Flight Rules (VFR) over-the-top carrying passengers. (Recommendation A-72-180)
11. Amend FAR 135.143 to include a minimum equipment list to include procedures for continuing flight with inoperative equipment beyond terminal point. (Recommendation A-72-181)
12. Amend FAR 135.33 to include provisions for training and recurrent training for maintenance personnel and to ensure each person who determines the adequacy of work is fully informed about procedures and techniques. (Recommendation A-72-182)
13. Amend FAR 135 to include a new section to ensure that each person who takes action in the case of a reported or observed malfunction of an airframe, engine, propeller, or appliance shall make, or have made a record of that action in the aircraft maintenance log. (Recommendation A-72-183)
14. Amend FAR 135.119 to ensure that the pilot-in-command shall enter or have entered in the maintenance log of the airplane each mechanical irregularity that comes to his attention during flight. Before each flight, he shall ascertain the status of each irregularity entered in the log at the end of the preceding flight. (Recommendation A-72-184)
15. Amend FAR 135.60 to ensure that each certificate holder shall have an aircraft inspection program acceptable to the Administrator. The certificate holders manual must contain the program required by (a) of this section. (Recommendation A-72-185)
16. Established a standard program of utilizing manufacturers recommended overhaul and inspection times on aircraft components, and power-plants and propellers. (Recommendation A-72-186)
17. Monitor all manufacturers' maintenance manuals and encourage operators to utilize the information contained therein as it applies to the individual operator. (Recommendation A-72-187)
18. Standardize procedures for the compilation and dissemination of maintenance discrepancy information to all air taxi/commuter operations. (Recommendation A-72-188)
19. Standardize air taxi surveillance procedures and provide specialized commuter airline training to appropriate principal inspectors of General Aviation District Offices. (Recommendation A-72-189)
20. Assign a principal inspector, or inspectors, to commuter airlines, with primary duties of surveillance of the commuter, and secondary duties with the other segments of aviation. It is further recommended that General Aviation District Offices accelerate efforts to assure that FAR 135 certificate holders maintain training programs. (Recommendation A-72-190)

The Civil Aeronautics Board

1. Require all air taxi operators registered with the CAB, and designated as commuter air carrier, to report the hours flown, the miles flown, and the number of departures in scheduled revenue operations. (Recommendation A-72-191)

2. Require all air taxi operators so classified under Part 298 of the Federal Aviation Act of 1958, to report the number of passengers carried, the hours flown and miles flown, and the number of departures in revenue operations. (Recommendation A-72-192)
3. In proceedings involving the suspension of service by a certificated carrier and the substitution of service by an air taxi commuter operator, request of the FAA a written safety evaluation of such operator; make a specific finding as to the operator's safety fitness; and place the FAA evaluation in the public docket of such proceeding. The safety evaluation by the FAA should include all accident data concerning such operator available in the files of the NTSB. (Recommendation A-72-193)

The United States Postal Service

1. Assure that a successful mail contract bidder possess a history of acceptable operations. (Recommendation A-72-194)
2. Reevaluate the commuter airmail contract bid system to insure that carriers being considered demonstrate their capability to provide adequate weather reporting, maintenance support and airport facilities. (Recommendation A-72-195)
3. Reevaluate trip performance standards and sanctions as they relate to safety considerations peculiar to the varying environments in which commuter airmail operations are conducted. (Recommendation A-72-196)
4. Establish fair and expeditious rate adjustment procedures to assure that safety is not compromised by marginal profitability. (Recommendation A-72-197)

BY THE NATIONAL TRANSPORTATION SAFETY BOARD:

/s/ JOHN H. REED
Chairman

/s/ FRANCIS H. McADAMS
Member

/s/ ISABEL A. BURGESS
Member

/s/ WILLIAM R. HALEY
Member

Louis M. Thayer, Member, was absent, not voting

September 27, 1972.