

# **AFS-600** *Regulatory Support Division*

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Examiner, Designee, and Instructor Community

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## **USE IT OR LOSE IT**

The Designee Update Newsletter is still the best means on a quarterly basis for pilot examiners to stay aware of changes that might affect pilot certification. Due to tight budgeting we were unable to continue mailing the newsletter and informed everyone that the newsletter would be posted on our Web Site.

**We are very disappointed to inform everyone that only 15 examiners checked in to read the letter; therefore, future preparation and availability of the newsletter could be in jeopardy. Don't allow this document to be discontinued, USE IT! please send an e-mail to:**

**Paul.J.Maenza@faa.gov**

## **UNSATISFACTORY PERFORMANCE**

There seems to be some confusion concerning NOTIFICATION to the applicant after an evaluator decides a task is unsatisfactory. The confusion extends to the guidance concerning "CONTINUED TESTING" following unsatisfactory performance. We will also discuss DOCUMENTATION of unsatisfactory performance in this article.

Guidance for these subjects comes from the Introduction of each Practical Test Standard (PTS) and from DPE course teachings by AFS-640. The subject of “Unsatisfactory Performance” is addressed in the PTS. A portion of that paragraph states, “If in the judgment of the examiner, the applicant does not meet the standards of performance of any TASK performed, the associated AREA OF OPERATION is failed and therefore, the practical test is failed. The test will be continued ONLY with the consent of the applicant.”

AFS-640 teaches that an examiner must immediately notify an applicant when an unsatisfactory performance decision is made. This teaching is intended to ensure an examiner obtains applicant consent before conducting any further testing following unsatisfactory performance.

Several examiners have commented that immediate notification might be unsafe with some applicants. They’ve expressed concern that some applicants might react irrationally to being notified they have failed a test by trying to harm themselves and the examiner. We believe this is very unlikely as such people are identified early in training and never progress to a practical test. However, an examiner who believes such a situation exists would be faced with handling that situation in a manner that minimizes risk. We believe such a situation could be handled within the above guidance and AFS-640 teachings.

Discussion follows:

### **CONTINUED TESTING:**

Guidance requires an examiner to obtain applicant consent before continuing testing following unsatisfactory performance. However, if an examiner is NOT willing to offer continued testing as an option the applicant does not have a decision role to play, the examiner’s decision is final. The applicant only has a consent role (decision) when the examiner is willing to offer continued testing as an option. This leads to the next subject, notification.

### **NOTIFICATION:**

ANYTIME an examiner becomes concerned about an applicant’s poor reaction to notification of failure that examiner WOULD NOT make an offer for continued testing. This would allow that examiner to cease testing without telling the applicant and simply direct them to land. When safely on the ground the examiner would notify the applicant of the unsatisfactory performance (Further testing without applicant consent would not have been conducted). This method of handling such a situation would be in compliance with PTS guidance and AFS-640 teachings. This leads to the next requirement, documentation.

### **DOCUMENTATION:**

The PTS introduction states that the disapproval notice must show the “AREAS OF OPERATION” appropriate to the unsatisfactory performance. Order 8710.3C states that the disapproval notice must also show the required “AREAS OF OPERATION” not performed. The intent of this guidance is to ensure that the original test plus any re-test (conducted within 60 days) constitute a complete (all required tasks) test. The above guidance is the very minimum information required on the disapproval notice to allow the subsequent examiner to modify the re-test plan-of-action and ensure a complete test is accomplished. Frequently it would be helpful and maybe even necessary for the first examiner to show more than the minimum required information on a disapproval notice, e.g. if a “special emphasis” item was related to the unsatisfactory performance it should be noted on the

disapproval. If a significant safety deficiency was related to the unsatisfactory performance it should be noted on the disapproval notice. If an "AERA OF OPERATION" was mostly completed, e.g. tasks A – F are required, A – E are satisfactory but F was unsatisfactory; the listing of tasks completed could be noted on the disapproval notice.

## **RUNWAY INCURSION**

Pilot examiners and inspectors have been briefed from every angle regarding runway incursion; however, a recent (13 page) Advisory Circular AC: 91-73, dated 6/18/01, does a good job of neatly lining up all the information that has been discussed over the past several years. If you think you have a handle on this subject, it may be rewarding for you to review this AC. As examiners we have witnessed what pressure can do to applicants. In some cases you can almost see the mind leave the body.

The mind of a professional pilot can also ruin a perfect day. As an example, page 3 of the AC states:

**CAUTION:** A potential pitfall of pre-taxi and pre-landing planning is setting expectations and then receiving different instructions from ATC. Flightcrews need to ensure that they follow the clearance or instructions that are **ACTUALLY** received and not those the flightcrew **EXPECTED** to receive.

## **NEW ADVISORY CIRCULAR REGARDING ENGLISH LANGUAGE PROFICIENCY**

In the very near future a new Advisory Circular (AC) which provides guidance for airman applicants, training organizations, designated examiners, and aviation safety inspectors for assessing English Language competence for airman certification. AC 60-ENG will be posted on our Web Site.

## **KNOWLEDGE TEST MEMORANDUM**

September 25, 2001, AFS-800 issued a memorandum to extend the validity period of those airman knowledge test results with an expiration date of September 30, 2001 for pilot, flight instructor or flight engineer certification. The expiration date of those airman knowledge test results that will expire on September 30, 2001 are now extended to expire on November 30, 2001.

The reason for this decision to extend the expiration date is due to the grounding of all training flights that occurred on September 11, 2001. Extension of the validity period of the airman knowledge test results is needed to provide applicants for pilot, flight instructor flight engineer certification more time to re-schedule and complete their practical tests.

This policy memorandum has been given to: All FAA Aviation Safety Inspectors; FAA Aviation Safety Technicians; FAA Safety Program Managers; Examiners in the FAA's Airmen Certification Branch, AFS-760; and Designated Pilot Examiners.

If you are an Aviation Safety Inspector or a DPE please ensure a copy of this memorandum is attached to each airman application for those applicants whose aeronautical knowledge test results are being extended as a result of this policy. (SPECIAL NOTE) Flight Instructor was inadvertently left out of the original version of the memorandum and was later added as a pen and ink change.

**Question:** I would like to have a clarification concerning the full feather shut-down of an engine during a multiengine flight test. According to the Flight Instructor – AMEL PTS, Area of Operation XIV, Task B, the note indicates that if the aircraft is at an altitude lower than 3000 feet AGL then the feathering of the propeller may be simulated. The ATP PTS has the same wording, while the Commercial Pilot – AMEL PTS makes no reference to altitudes at all. The FSDO inspector here is saying that if it can't be done at 3000 feet AGL then the practical test must be discontinued and the practical test must be rescheduled since the required element of the practical test has not been completed. Please advise the appropriate procedure to be followed in this event.

**Answer 1:** Ref. § 61.43(a)(1); Appropriate PTS under the paragraph "Aircraft and Equipment Required for the Practical Test" paragraph No. 2; FAA Order 8700.1, Chapter 1, page 1-13, paragraph 19; and FAA Order 8710.3C, Chapter 5, page 5-5, paragraph 17.B.; An engine shut down and feathering of the propeller is must be demonstrated by the applicant on the practical test. As for all practical tests, the PTS (see the paragraph noted as "Aircraft and Equipment Required for the Practical Test" paragraph No. 2) and § 61.43(a)(1) requires that the applicant bring an aircraft that is ". . . capable of performing ALL appropriate TASKS for the . . . certificate or rating and have no operating limitations that prohibit the performance of those TASKS."

The language in the PTS that you referenced in your question that permits the examiner to simulate the feathering and engine shutdown is intended only to address a situation where the examiner may simulate the failure of an engine below 3000' AGL. In those situations (meaning below 3000 feet AGL), the proper procedure for simulating an engine failure require that the examiner simulate the engine shutdown ". . . by throttling the engine back to idle and then establishing zero thrust." But, that simulated engine shutdown procedure is only to be used when the aircraft is below 3000' AGL.

The examiner is expected and is required to test an applicant on maneuvering with one engine inoperative and that requires an engine shutdown and the feathering of the propeller. In all cases, the airplane manufacturer's recommended procedure should be followed. The Commercial Pilot PTS for MEL and MES ratings states for maneuvering with one engine inoperative, ". . . Selects an entry altitude that will allow the task to be completed no lower than 3,000 feet (920 meters) AGL or the manufacturer's recommended altitude, whichever is higher . . ." The ATP PTS for Multiengine Airplane states, ". . . Feathering or shutdown should be performed only under conditions, and at such altitudes (no lower than 3,000 feet [900 meters] AGL) and in a position where a safe landing can be made on an established airport in the event difficulty in unfeathering the propeller or restarting the engine . . . ." The areas of operation and tasks that requires an applicant to be tested on maneuvering with one engine inoperative are:

In the Private Pilot PTS – AMEL

Area of Operation X – Task B. Maneuvering with One Engine Inoperative

In the Commercial Pilot PTS – AMEL

Area of Operation VIII – Task B. Maneuvering with One Engine Inoperative

In the Airline Transport Pilot PTS – AMEL

Area of Operation IV – Task C. Powerplant Failure-Multiengine Airplane

In the Flight Instructor PTS – AMEL

Area of Operation XIV – Task B. Maneuvering with One Engine Inoperative

If the feathering of the propeller in a multiengine airplane cannot be safely performed because of limitations established by the airplane manufacturer in the Aircraft Flight Manual, then the applicant is required to bring a multiengine airplane that can safely perform an engine shutdown and feathering of the propeller maneuver and procedure.

**Question 2:** A second area of disagreement concerns whether or not it is acceptable for the DPE to observe the applicant during the course of the practical test while occupying a seat other than a crew station. It seems to me that since the DPE is not the PIC, and there is a qualified PIC occupying a crew position, the DPE can properly conduct the test from a seat position other than a crew station, as long as he has clear view, and has clear communication capability with the persons occupying the crew positions.

**Answer 2:** Ref. § 61.47 and FAA Order 8710.3C, Chapter 5, page 5-2, paragraph 9.B. and C.; Other than those aircraft that require a flightcrew of two or more (see FAA Order 8710.3C, Chapter 5, page 5-2, paragraph 9.C.), the examiner is expected and is required to be seated at a pilot station seat.

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Answered by: John Lynch, AFS-840

NOTE: This Q&A and all Q&As eventually are onloaded onto AFS-600's home page at -

<http://afs600.faa.gov>