

Aviation Group Client Update

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FAA PUBLISHES NEW RULE ON PILOT FATIGUE

Today, the FAA published the Final Rule on pilot fatigue in the Federal Register. Applicable to 14 CFR 121, the Final Rule ensures pilots rest longer before entering the cockpit. The Final Rule becomes *effective January 14, 2012*. The Final Rule uses the latest fatigue science to set pilot flight time, duty period, and rest based on start time, number of scheduled flight segments, and number of time zones crossed.

Flight duty period will depend on start time and number of flight segments. It will range between 9 – 14 hours for single crew operations. The period begins when a flightcrew member reports for duty with the intent to conduct a flight and ends after the last flight when the aircraft is parked. It includes time before and between flights where a pilot works without an intervening rest period, deadhead transportation, training or flight simulation, and standby or reserve duty.

Flight time is limited to eight or nine hours depending on the start time of the pilot's entire flight duty period. A pilot must rest a minimum of ten hours—a two-hour increase—which must include the opportunity for eight hours of uninterrupted sleep. This requirement may not be reduced. Split duty night operations require at least three hours of rest during the flight duty period. Additional weekly and 28-day limits were placed on the amount of time a pilot may be assigned any type of flight duty. Further 28-day and annual limits were placed on actual flight time. Accordingly, a pilot is required to have a minimum of 30 consecutive hours free from duty per week—a 25% increase.

Pilots and airlines share joint responsibility to consider whether a pilot is fit for duty. Before each flight segment, a pilot must sign and affirm that he or she is fit for duty. If a pilot is fatigued or unfit for duty, the airline must remove the pilot from duty.

Airlines may develop an alternative Fatigue Risk Management System, based on science and data validated by the FAA, to mitigate fatigue. All alternative systems must be monitored by the FAA. Airlines will provide training on fatigue mitigation measures and the impact on commuting, including lifestyle and sleep fundamentals. Training is required every two years for pilots, dispatchers, and other employees involved in operational control and management oversight.

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