

Operational Control

Specific Issues

Presented to: AMTC

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Federal Aviation
Administration



Some Specific Issues

- **Mis-Interpretation/Unfair Enforcement**
- **The CAB Blanket Exemption**
- **Billing**
- **Advertising**
- **Aircraft Marking**
- **Delegation of Authority**
- **Flight Locating**
- **CRM/AMRM**
- **Initiation and Diversion**
- **Operations Control Center**
- **Timeline**



Mis-Interpretation and Unfair Enforcement

- **This is an issue for nearly every organization with widespread oversight responsibilities**
- **The solution is found through training and guidance material**
- **Training:**
 - Operational Control “Road shows”
- **Guidance Material:**
 - Being developed by AFS-250

The CAB Blanket Exemption

- **Still valid**
- **Pertains only to the economic authority to act as an indirect air carrier**
- **The actual flight operations, and the operational control must be accomplished by a certificate holder**
- **It does not permit non-certificated entities to conduct air transportation**



Billing

- **Billing may be accomplished by the indirect air carrier**
- **If possible, the billing should indicate that the air transportation was provided by the certificate holder (by name)**



Advertising

- **Indirect air carriers may not purport to providing air transportation**
- **Advertising must indicate the name of the certificate holder providing air transportation**



Aircraft Marking

- **Must comply with § 119.9, Use of business names (b)**
 - ... name of the certificate holder... or the ... certificate number of the certificate holder who is operating the aircraft, is legibly displayed on the aircraft and is clearly visible and readable from the outside of the aircraft...
- **Name of the medical entity may be displayed**

Delegation of Authority or Duty

- **The certificate holder may delegate specific functions related to operational control, but not responsibility.**
- **These delegates may be employees or agents, including persons contracted to perform services.**
- **These delegates must be trained and competent, designated in writing, listed in the GOM, provided with procedures, policies and guidance, and be under management oversight.**



Flight Locating

- **Flight locating must be accomplished by the certificate holder unless FAA flight plans are filed for each flight.**
- **Flight locating duties may be delegated to employees of, or agents for, the certificate holder (contractors).**
- **Again, these persons must be trained and competent, designated in writing, listed in the GOM, provided with procedures, policies and guidance, and be under management oversight.**
- **The certificate holder must have knowledge of all flight operations (notification).**

CRM/AMRM

- **Operational Control concepts do not counter CRM and AMRM concepts**
- **In any decision-making process, there is a designated decision maker**
- **In Air Transportation matters, that decision maker is the certificate holder**
- **Operational Control ensures that the certificate holder exercises that decision-making authority and meets its regulatory responsibilities**

Initiation, Diversion

- **If authorized by the certificate holder, in accordance with the FAA approved operational control system, the Pilot in Command may receive a request from a customer, and, within his/her documented authorities, accept or decline the request in accordance with certificate holder policies.**
- **Again, the pilot must be trained and competent, designated in writing, listed in the GOM, provided with procedures, policies and guidance, and be under management oversight.**



Operational Control Center

- **The rule does not specifically require an operations control center.**
- **However, the complexity of a particular operation may make the use of an operations control center necessary to ensure the effectiveness of operational control by the certificate holder.**
- **Numerous factors determine the complexity of an operation, such as the number and geographic dispersal of aircraft, diversity of aircraft types, diversity of types of operations (VFR/IFR/NVG), and diversity of operating environments.**

Timeline

- **Proposal to individual certificate holders by FAA to issue this OpSpec will be made by October 31, 2006**
- **The certificate holder has at least 7 days to respond with written information, views, and arguments on the amendment**
- **The CHDO evaluates those responses, and notifies the operator**
 - Adoption,
 - Partial Adoption, or,
 - Withdrawal
- **If issued, the amendment becomes effective not less than 30 days after the notification**

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