



Part 91 Department Inspections

The FAA is coming

FOR YEARS NOW, THE FAA'S DELAYED FUNDING HAS DICTATED cutbacks on “non-essential travel” to places like, well, airports. Budget cutbacks have also resulted in Flight Standards Offices (formerly known as FSDOs, or GADOs if you are older) migrating from convenient, but expensive, airport office buildings to cheaper office parks that are nowhere near an airport. And of course, many inspectors now “telecommute” from home on many days.

One result has been a suspension of random ramp checks for FAR Part 91 operators for many years. Ramp checks never went away for Part 135 and Part 121 pilots, but even those encounters have become less random because the inspectors don't want to drive out to the airport only to discover there are no pilots to surprise.



So, why are inspectors now visiting Part 91 flight departments? The 2018 FAA Reauthorization had two provisions that bear on the change: (1) Congress mandated that the comptroller general study the effectiveness of the FAA's 2015 Compliance Philosophy, and (2) Congress mandated that the secretary of transportation report on “follow-up” (or lack thereof) on illegal charter complaints. These studies are underway, and they have resulted in increased scrutiny of aircraft leasing and reimbursements in the business aircraft community.

What will the FAA look for when inspecting a Part 91 flight department? The agency recognizes that the recordkeeping rules of Part 135 do not apply. But the inspectors are advised: “Even though recordkeeping is not required of an executive/corporate operator, many do maintain training records. The inspector should encourage all operators to keep and maintain records to verify compliance with 14 CFR §§ 61.55 and 61.58.” The guidance goes on to instruct the inspectors to examine such records if they are maintained.

If you are operating an aircraft subject to a lease under Part 91, make sure that you have a copy of the lease and that you, and everyone in the flight department, understands the lease. If the aircraft has a max gross takeoff weight over 12,500 lb.,

then a copy of the lease must be kept in the aircraft.

But once the FAA is in the hangar, the inspection won't stop at training and lease records. If you have a Minimum Equipment List, the inspectors will check to see if the Master Minimum Equipment List has been subsequently revised. If you operate a large or turbine-powered multiengine airplane, you are required to have an emergency checklist, one-engine inop climb performance data and a two D-cell flashlight (Part 91.503). Expect to show where each of these items can be found in the cockpit, and make sure that the flashlight works. Passenger briefing cards are not required, but if they are used to supplement an oral briefing, then they must be available to all passengers and must refer to the specific type and model of airplane (Part 91.519).

Will they inspect your aircraft, or just the records? Inspectors are advised: “When an inspector checks the aircraft for general airworthiness, he or she should keep in mind that the inspection should not resemble a 100-hr. or annual inspection. Rather, it is similar to a preflight inspection to check for obvious discrepancies that could affect the safety of flight (§§ 91.403 and 91.405). For example, some obvious discrepancies to check for include fuel or oil leaks, damaged tires, prop seal leaks, broken exhaust hoses, etc.”

Ramp checks: The FAA is also ramp-checking business aircraft operators as part of the current effort. Are you ready? At some point in your flying career, you probably memorized “ARROW” so that you would be ready for an inspector visit: Airworthiness Certificate, Registration Certificate, Radio Station License, Operator Handbook, Weight & Balance. These are the aircraft's required documents, and this is still a pretty good acronym to jog your memory, but the ARROW requirements have evolved. Your aircraft needs an FCC Radio Station License if you will fly internationally. And if you do, you also need to carry a Restricted Radiotelephone Operator Permit. The FAA will also be checking to see if each pilot has “a photo identification.” (Part 61.3 lists all of the acceptable forms of ID. A state-issued driver's license will do nicely.)

What are the rules of a ramp inspection? You must “present” your airman and medical certificates. Don't play games. Smile. Hand them to the inspector. If the inspector wants to make a copy, ask for the certificates back and tell him that you can get a copy for him at the FBO.

Who determines when a ramp check is over? You do. An inspector has no right to detain you. You do not have to speak with an inspector at all. However, if you are rude, the inspector may question your compliance attitude and begin an investigation. On the other hand, this is not a social engagement. Don't drag it out. Smile and excuse yourself politely as soon as the inspector has verified that you and the aircraft have the required documents. **BCA**