Regulations for the Records Database of Airline Pilots

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1. Introduction

In June 2021, the United States Federal Aviation Administration (FAA) published regulations for the record database of airline pilots.[1] According to these regulations, the FAA will manage the Pilot Records Database (PRD), and it is required that airlines enter information on the safety of their pilots into the PRD and access the PRD to evaluate its informaiton when hiring pilots.

This report describes the conventional regulations regarding the confirmation of a pilot's record, and the subsequent aviation accidents which set the background for the introduction of new regulations. It also further describes the contents of new regulations.

2. History of Regulations Regarding Pilot Records Confirmation

In the United States, between 1987 and 1994 at least seven of the airline accidents that occured involved errors by pilots who had insufficient safety background checks. These pilots had safety breaches and training issues at their previous airlines, but the airlines that subsequently hired them were unaware of these issues.

In response to this problem, the FAA Reauthorization Act that was established in 1996 requires airlines to request, accuire and evaluate information on the safety record of each pilot before hiring each pilot to engage in actual operations. For this reason, this law and system is called the Pilot Records Improvement Act (PRIA).

Information on the safety of pilots in PRIA includes information on pilot license, aviation medical certification and administrative dispositions which are held by FAA, and information on trainings, qualifications and disciplinary action (limited to those related to their ability as a pilot) held by the airlines from the past 5 years, as well as information on suspension or revocation of their driver's license in the National Driver Register (NDR). It should be noted that the hiring airline can only use this information in the pilot recruitment process after receiving the consent form for disclosure of the above information from the pilot. In addition, the pilot can request a copy of this information and submit thier opinion in writing to the airlines they belonged to in the past or the new airlines they wish to join.

3. Aviation accidents and system review after introducing the PRIA system

On July 13, 2003, Air Sunshine flight 527 crashed into the Atlantic Ocean due to a one engine failure during flight, resulting in an aviation accident that killed two of the nine passengers. In response to this accident, the National Transportation Safety Board (NTSB) of the United States said that the pilot of this accident had failed many times in past flight tests and was poorly proficient and this could have had an impact on their ability to land after an engine failure. The NTSB noted that it would be beneficial to evaluate additional safety information.

Then again, on February 12, 2009, Colgan Air flight 3407 crashed in New York State, resulting in an aviation accident that killed all 49 crew members and passengers and one person on the ground. In response to this accident, the NTSB pointed out that the captain of this accident had failed multiple times in the past flight tests for pilot license,

and also failed the proficiency check flight test. The NTSN also pointed out that the airline should consider those failure notifications as part of a pilot's safety record.

Following the Colgan Air flight 3407 accident, in 2010 the US Congress passed the PRD Act, requiring the FAA to create an pilot records database. Then, in 2016 the FAA Extension, Safety and Security Act was enacted, requiring the FAA to create a PRD by April 30, 2017.

While the FAA missed the deadline to implement the PRD, the cargo plane Atlas Air flight 3591 crashed in Texas on February 23, 2019, resulting in an aviation accident that killed three crew members. In this accident as well, the NTSB recommended that the FAA implement the PRD, pointing out that the copilot who misoperated had shown problems with past training.

Based on the above-mentioned request by Congress and the NTSB, the FAA published the draft rules of the PRD regulations in March 2020 and began the public comment procedure. Subsequently, the FAA revised the draft regulations based on approximately 800 opinions submitted over three months, and the official version of the regulations was published in June 2021.

4. Contents of the Pilot Records Database Regulations

The PRD regulations were newly established as part 111 of the Federal Aviation Regulations (FAR). This part 111 consists of four subparts: "General," "Access to and Evaluation of Records," "Reporting of Records," and "Pilot Access and Responsibilities," each of which will be explained in the following sections.

It is possible to continue to use the conventional PRIA as an alternative to these regulations for three years after their publication, during which time the transition to PRD will be completed.

4.1 Subpart A: "General"

The "General" section first defines the operators subject to the rules, which include airlines licensed under Part 121 and 135 of FAR, as well as the operators that hold management specifications for a fractional ownership program issued in accoordance with Part 91, Subpart K and organizations that operate for public use.

These companies and organizations are required to submit an application containing information on the person responsible for accessing the PRD within 90 days of the publication of this regulation. The person in charge of accessing the PRD may delegate the actual access to another person at their own risk.

In addition, the pilot's record in the PRD should be maintained for the life of the pilot. During the draft stage of the regulations, there was a clause to impose a PRD access fee to cover the maintenance cost of the PRD, but due to many dissenting opinions from the industry, this clause was deleted in the official version and will be reexamined based on the operating status from now on.

4.2 Subpart B: "Access to and Evaluation of Records"

In the "Access to and Evaluation of Records" section, the operator subject to the regulations receives a consent form for disclosure of information from the pilot who they intend to hire. After 180 days from the publication of the regulations, the operator shall not engage a pilot in actual operations unless the operator evaluates the FAA information contained in the PRD. In addition, one year after the publication of the regulations, the information submitted to the PRD by the pilot's previous operator and the employment history provided by the pilot to the PRD must also be evaluated.

The FAA information in the PRD includes data on the pilot license, aviation medical certificate and past administrative sanctions, which are records held by the FAA in PRIA. It also includes information on failures in the flight test of the pilot license, information on aviation accidents and incidents involved as a captain or copilot, as well as information on alcohol and drug testing under the jurisdiction of the Department of Transportation.

In addition, if the information from the pilot's previous operator corresponding to the employment history information provided by the pilot to the PRD has not been submitted to the PRD, the operator who intends to hire the pilot is supposed to use the PRD to request the information from the pilot's previous operator. Furthermore, the request,

acquisition, and evaluation of information related to the suspension or revocation of a pilot's driver's license in the National Driver Register (NDR) are the same as those handled by PRIA.

4.3 Subpart C: "Reporting of Records"

In the "Reporting of Records" section, airlines will be required to report the pilot records one year after the regulations are published.

The pilot record information to be reported includes information on alcohol and drug testing at airlines, information on training, qualification review and proficiency check– including cases of failure. It also includes any disciplinary actions (limited to those related to their ability as a pilot) and information on turnover.

This information is required to be reported to the PRD within 30 days of any occurrence that happens more than one year after the publication of the regulations. In addition, regarding pilot record information prior to that, anything that has occurred since August 1, 2005 must be reported to the PRD. Information from after January 1, 2015 must be reported within 2 years after the regulation is published. Information prior to that (August 1, 2005-December 31, 2014) is required to be reported within three years after the regulations are published.

4.4 Subpart D: "Pilot Access and Responsibilities"

In the "Pilot Access and Responsibilities" section, the pilot must first submit an application to confirm information about their record in the PRD and then approve the airline for access to that information.

In addition, as stated in Section 4.2, pilots are required to provide the hiring airline with a consent form for information disclosure, and it is also required that this consent form confirms that the information on the employment history for the past five years is correct. At this time, if the employment history information is incomplete, the pilot is supposed to update the employment history information.

5. Conclusion

FAA manages the records database of airline pilots and asks airlines to report, access, and evaluate that information. There are many pilot changes between airlines, and so this is a system unique to the United States based on the lessons learned from aviation accidents that occurred in the past.

On the other hand, in Japan, there are many pilots who are hired by the same airline for a long time after undergoing in-house training courses at that airline. However, it is expected that the number of pilots who will change jobs will increase in the future due to the increase in the age at which they can be on board and fluctuations in the demand for pilots depending on the business conditions of the company, so it is possible that the need for a Pilot Records Database in Japan could increase in the future.

The operation of the Pilot Records Database in the United States will begin in earnest from 2022. It may be very useful to follow the status of future operations and lessons learned when similar efforts are needed in Japan in the future.

References
1) FAA, Pilot Records Database
https://www.federalregister.gov/documents/2021/06/10/2021-11424/pilot-records-database