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APPENDIX: 3

BULLETIN TYPE: Joint Flight Standards Handbook Bulletin for Air Transportation (HBAT) and Airworthiness (HBAW)

BULLETIN NUMBER: HBAT 99-19 and HBAW 99-16

BULLETIN TITLE: 14 CFR Part 121 and 135 Air Carrier Safety Departments, Programs, and the Director of Safety

EFFECTIVE DATE: 11-30-99

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NOTE: THIS BULLETIN REQUIRES PTRS INPUT. SEE ITEM #6  
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1. PURPOSE. This bulletin provides guidance for principal inspectors and Title 14 of the Code of Federal Regulations (14 CFR) part 121 and 135 air carriers for the development of a comprehensive and effective safety department. Also, guidance is provided on the suggested functions, qualifications, and responsibilities of the Director of Safety position.

2. BACKGROUND.

A. In December 1994, Secretary of Transportation Frederico Pena invited senior U.S. aviation officials to meet with him and Federal Aviation Administration (FAA) Administrator David E. Hinson in a safety conference in Washington, DC. More than 1,000 industry, government, and aviation officials met in various working sessions to address aviation safety issues. The major theme of the safety conference was that aviation safety is a shared responsibility. At the conclusion of the conference, participants agreed, among various initiatives, to take immediate and voluntary action to establish flight safety departments within all commercial carriers.

B. In December 1995, the FAA published a final rule which was titled "The Commuter Operations and General Certification and Operations Requirements." In the notice of the final rule, the FAA required that each certificate holder that conducts operations under part 121 have a Director of Safety. This person would be responsible

for keeping the highest management officials of the certificate holder fully informed about the safety status of the certificate holder's entire operation. The FAA believes that an independent, full time position is important if at all available or possible. However, the FAA recognizes that in smaller operations, the Director of Safety function might be an additional function of a current manager. Title 14 of the Code of Federal Regulations part 119, section 119.65(b) provides flexibility in the requirements for positions and the number of positions for management personnel, including the Director of Safety.

C. As part of the National Transportation Safety Board's (NTSB) 1994 safety study on commuter airline safety, the NTSB issued safety recommendation A-94-201 to the FAA. In part, this safety recommendation asked the FAA to revise the Federal Aviation Regulations to require that all air carriers operating under parts 121 and 135 establish a safety function, such as outlined in Advisory Circular (AC) 120-59, Air Carrier Internal Evaluation Programs.

### 3. SAFETY AND EVALUATION PROGRAMS.

A. As a matter of policy, the FAA encourages part 121 and 135 certificate holders to identify, correct, and disclose instances of noncompliance with company procedures and FAA regulations. The FAA has previously developed guidance material (AC 120-59) that encourages certificate holders to develop Internal Evaluation Programs as a tool for continuously monitoring and evaluating practices and procedures. The FAA believes that the development and implementation of a comprehensive and effective safety department that employs Safety and Internal Evaluation Programs will benefit both the certificate holder and the flying public.

B. Each part 121 and 135 air carrier should have a safety department that addresses the broad range of risks involved in commercial aviation to include, but not limited to, flight, maintenance, and ground safety. Since operators vary in both size and scope of operations, it is appropriate to consider such criteria as the kind of operations involved, the number and type of airplanes used, and the areas of operations when determining the size and complexity of a safety department.

C. Any safety program should be designed to prevent personal injury and property losses resulting from accidents and incidents. The primary objectives of a safety program should be to motivate safe actions through establishment of a dynamic corporate safety culture; identify hazards to safe operations; work with other

company departments to develop and implement safety interventions; monitor intervention strategies to validate effectiveness; and communicate the results throughout the air carrier.

4. DIRECTOR OF SAFETY.

A. FUNCTIONS.

(1) One of the functions of a Director of Safety is to develop and implement a comprehensive safety program. This safety program would include a safety structure and staff that is appropriate to the size of the operator, the kind and scope of operations, and the type and number of aircraft used in its operations. In all cases, it is important for the safety program to emphasize operational safety, including all aspects of flight and ground operations, maintenance programs and passenger safety.

(2) The Director of Safety should ensure that the necessary safety program elements have been developed, properly integrated, and coordinated throughout the air carrier. These elements include:

- (a) A safety incident/accident reporting system.
- (b) Accident/incident investigation.
- (c) Safety audits and inspections.
- (d) Internal evaluation program.
- (e) Operational risk assessment program.
- (f) Open reporting systems.
- (g) Routine monitoring and trend analysis programs.
- (h) Review of external evaluation programs.
- (i) Safety Committee(s).

(3) The Director of Safety should ensure that the safety program has been disseminated to all appropriate personnel and a detailed description of the safety program is incorporated in the appropriate manuals as described in part 121, sections 121.133 and 121.135.

(4) The Director of Safety should ensure that adequate safety program management is maintained.

(5) To the greatest extent possible, the Director of Safety should be autonomous and separate from other departments and report directly to the chief executive.

(6) The Director of Safety should have direct access to the appropriate level of senior management and to all managers/supervisors on safety issues.

(7) The Director of Safety should provide safety concerns and findings to appropriate senior operations managers for appropriate corrective actions.

(8) The Director of Safety should be a primary participant in the development of an internal evaluation program and the resultant safety audit procedures.

(9) For part 121 operations and requirements, the Director of Safety position was established as a full time position responsible for keeping the highest management officials of the certificate holder fully informed about flight, maintenance, and ground safety practices, procedures, and programs of the certificate holder's entire operation.

(10) Although part 135 does not establish a requirement for a Director of Safety position, these operators are still encouraged to designate a company management official or manager to monitor and evaluate flight, maintenance, and ground safety practices, procedures, and programs.

## B. QUALIFICATIONS.

(1) Training. It is highly desirable that the Director of Safety complete an aviation safety education program consistent with the position's responsibilities. If an individual has not completed such a program prior to appointment, the Director of Safety should attend one to supplement his/her experience. Participation in industry safety meetings, conferences or schools is considered an essential part of the continuing education of the Director of Safety. Training should also include such subject areas as:

(a) Corporate safety culture.

(b) The role of the safety director as advisor to Senior management officials.

(c) Safety philosophy.

- (d) Safety data collection and analysis programs.
- (e) Risk management.
- (f) Incident/accident prevention and investigation.
- (g) Human factors.

(2) Experience. The person assigned as the Director of Safety should have extensive operational experience and professional qualifications in aviation. This would include the knowledge and understanding of the following:

- (a) Aviation safety programs.
- (b) Aviation safety standards.
- (c) Safe aviation operating practices.

(3) Expertise. The person assigned as the Director of Safety should have established professional qualifications. These qualifications may be any of the following:

- (a) An FAA commercial pilot or airline transport pilot certificate.
- (b) An FAA mechanics certificate.
- (c) An FAA aircraft dispatcher certificate.
- (d) Three years experience in a supervisory position with a part 121 or a scheduled part 135 air carrier.
- (e) Three years experience in a position comparable to paragraph 4.B.3.(d) above in U.S. military aviation operations.
- (f) Three years experience in a supervisory position with a U.S. Government department, board, or agency that deals directly with aviation matters.

(4) Knowledge. The person assigned as the Director of Safety should have a full understanding of the following materials with respect to the certificate holder's operation:

- (a) The certificate holder's operations specifications.

- (b) The manual required by section 121.133.
  - (c) All appropriate maintenance and airworthiness requirements of 14 CFR chapter I (parts 1 through 199).
- C. RESPONSIBILITIES. The Director of Safety responsibilities may include, but not be limited to, the following:
- (1) Monitor and report to senior management on all air carrier activities that may have an impact on safety.
  - (2) Establish a reporting system which provides for a timely and free flow of safety-related information.
  - (3) Develop and maintain a database of incident/accident information to monitor and analyze trends.
  - (4) Monitor and evaluate the various safety and malfunction reporting systems to ensure appropriate integration and evaluation of data.
  - (5) Investigate and report on incidents/accidents and make recommendations to preclude a recurrence.
  - (6) Conduct safety audits and inspections.
  - (7) Solicit and process safety improvement suggestions.
  - (8) Develop and maintain a safety awareness program.
  - (9) Review and evaluate the adequacy of the emergency response plan.
  - (10) Monitor industry safety concerns that may have an impact on operations.
  - (11) Maintain close liaison with the FAA, NTSB and industry safety organizations and associations.
  - (12) Discharge their duties to meet applicable legal requirements and to maintain safe operations in accordance with section 119.65.

## 5. ACTION.

- A. Within 30 days of receipt of this bulletin, part 121 principal operations inspectors (POI) shall ensure that their assigned air

carriers are made aware of the information contained in this bulletin.

B. Part 121 POI's shall review their assigned air carriers' manual(s) to ensure that the duties, responsibilities, and authority of the Director of Safety have been included.

C. Part 121 POI's shall use the guidance material contained in this bulletin when reviewing the qualifications of an individual to serve full time in the Director of Safety position.

D. Part 135 principal inspectors shall encourage their assigned air carriers to develop a safety department, appropriate to the size and scope of operations, that addresses the broad range of risks involved in commercial aviation to include, but not limited to, flight, maintenance and ground safety.

E. Part 135 principal inspectors shall encourage their assigned air carriers to designate a company management official or manager to monitor and evaluate flight, maintenance, and ground safety practices, procedures, and programs.

#### 6. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) INPUT.

A. Principal inspectors shall make a PTRS entry to record the actions directed by this bulletin with each of their assigned part 121 and 135 air carriers as outlined in HBAT 94-08, Program Tracking and Reporting Subsystem (PTRS) Documentation of Action Required by Flight Standards Bulletins. The PTRS entry shall be listed as activity code number 1381 and the "national use" field entry shall be HBAT9919.

B. Principal inspectors shall use the comment section to record comments of interaction with the operators.

#### 7. INQUIRIES.

A. AFS-200 and AFS-300 jointly developed this bulletin. Any inquiries from air carriers concerning this bulletin should be directed to their assigned principal inspector.

B. Any other inquiries regarding this bulletin should be directed to Jim Gardner (AFS-200) at (202) 267-9579 or William O'Brien (AFS-300) at (202) 267-3796.

8. LOCATION. This bulletin will be incorporated into the appropriate sections of FAA Orders 8400.10 and 8300.10. Until the material is incorporated into the appropriate handbook, inspectors should make written reference of this bulletin in the margin next to sections referencing safety programs and management personnel.

/s/

L. Nicholas Lacey  
Director, Flight Standards Service