

(1) Any part of the flight maneuvers and procedures portion of either an airline transport pilot certificate with type rating practical test or an additional type rating practical test, or

(2) A §121.441 proficiency check.

(h) The following exceptions apply to the consolidation requirement of paragraph (g) of this section:

(1) Pilots who have qualified and served as pilot in command or second in command on a particular type airplane in operations under this part before August 25, 1995 are not required to complete line operating flight time for consolidation of knowledge and skills.

(2) Pilots who have completed the line operating flight time requirement for consolidation of knowledge and skills while serving as second in command on a particular type airplane in operations under this part after August 25, 1995 are not required to repeat the line operating flight time before serving as pilot in command on the same type airplane.

(3) If, before completing the required 100 hours of line operating flight time, a pilot serves as a pilot in another airplane type operated by the certificate holder, the pilot may not serve as a pilot in the airplane for which the pilot has newly qualified unless the pilot satisfactorily completes refresher training as provided in the certificate holder's approved training program and that training is conducted by an appropriately qualified instructor or check pilot.

(4) If the required 100 hours of line operating flight time are not completed within 120 days, the certificate holder may extend the 120-day period to no more than 150 days if—

(i) The pilot continues to meet all other applicable requirements of subpart O of this part; and

(ii) On or before the 120th day the pilot satisfactorily completes refresher training conducted by an appropriately qualified instructor or check pilot as provided in the certificate holder's approved training program, or a check pilot determines that the pilot has retained an adequate level of proficiency after observing that pilot in a supervised line operating flight.

(5) The Administrator, upon application by the certificate holder, may au-

thorize deviations from the requirements of paragraph (g) of this section, by an appropriate amendment to the operations specifications, to the extent warranted by any of the following circumstances:

(i) A newly certificated certificate holder does not employ any pilots who meet the minimum requirements of paragraph (g) of this section.

(ii) An existing certificate holder adds to its fleet an airplane type not before proven for use in its operations.

(iii) A certificate holder establishes a new domicile to which it assigns pilots who will be required to become qualified on the airplanes operated from that domicile.

(i) Notwithstanding the reductions in programmed hours permitted under §§121.405 and 121.409 of subpart N of this part, the hours of operating experience for flight crewmembers are not subject to reduction other than as provided in paragraphs (e) and (f) of this section.

[Doc. No. 9509, 35 FR 95, Jan. 3, 1970, as amended by Amdt. 121-74, 36 FR 12284, June 30, 1971; Amdt. 121-91, 37 FR 10729, May 27, 1972; Amdt. 121-140, 43 FR 9599, Mar. 9, 1978; Amdt. 121-144, 43 FR 22647, May 25, 1978; Amdt. 121-159, 45 FR 41593, June 19, 1980; Amdt. 121-248, 60 FR 20870, Apr. 27, 1995]

§ 121.437 Pilot qualification: Certificates required.

(a) No pilot may act as pilot in command of an aircraft (or as second in command of an aircraft in a flag or supplemental operation that requires three or more pilots) unless he holds an airline transport pilot certificate and an appropriate type rating for that aircraft.

(b) No certificate holder may use nor may any pilot act as a pilot in a capacity other than those specified in paragraph (a) of this section unless the pilot holds at least a commercial pilot certificate with appropriate category and class ratings for the aircraft concerned, and an instrument rating. Notwithstanding the requirements of §61.63 (b) and (c) of this chapter, a pilot who is currently employed by a certificate holder and meets applicable training requirements of subpart N of this part, and the proficiency check requirements of §121.441, may be issued

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the appropriate category and class ratings by presenting proof of compliance with those requirements to a Flight Standards District Office.

[Doc. No. 6258, 29 FR 19215, Dec. 31, 1964, as amended by Amdt. 121-148, 43 FR 46235, Oct. 5, 1978; 44 FR 25202, Apr. 30, 1979; Amdt. 121-207, 54 FR 39293, Sept. 25, 1989; Amdt. 121-253, 61 FR 2612, Jan. 26, 1996; Amdt. 121-262, 62 FR 13257, Mar. 19, 1997]

§ 121.438 Pilot operating limitations and pairing requirements.

(a) If the second in command has fewer than 100 hours of flight time as second in command in operations under this part in the type airplane being flown, and the pilot in command is not an appropriately qualified check pilot, the pilot in command must make all takeoffs and landings in the following situations:

(1) At special airports designated by the Administrator or at special airports designated by the certificate holder; and

(2) In any of the following conditions:

(i) The prevailing visibility value in the latest weather report for the airport is at or below $\frac{3}{4}$ mile.

(ii) The runway visual range for the runway to be used is at or below 4,000 feet.

(iii) The runway to be used has water, snow, slush or similar conditions that may adversely affect airplane performance.

(iv) The braking action on the runway to be used is reported to be less than "good".

(v) The crosswind component for the runway to be used is in excess of 15 knots.

(vi) Windshear is reported in the vicinity of the airport.

(vii) Any other condition in which the PIC determines it to be prudent to exercise the PIC's prerogative.

(b) No person may conduct operations under this part unless, for that type airplane, either the pilot in command or the second in command has at least 75 hours of line operating flight time, either as pilot in command or second in command. The Administrator may, upon application by the certificate holder, authorize deviations from the requirements of this paragraph (b) by an appropriate amendment to the

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operations specifications in any of the following circumstances:

(1) A newly certificated certificate holder does not employ any pilots who meet the minimum requirements of this paragraph.

(2) An existing certificate holder adds to its fleet a type airplane not before proven for use in its operations.

(3) An existing certificate holder establishes a new domicile to which it assigns pilots who will be required to become qualified on the airplanes operated from that domicile.

[Doc. No. 27210, 60 FR 20870, Apr. 27, 1995]

§ 121.439 Pilot qualification: Recent experience.

(a) No certificate holder may use any person nor may any person serve as a required pilot flight crewmember, unless within the preceding 90 days, that person has made at least three takeoffs and landings in the type airplane in which that person is to serve. The takeoffs and landings required by this paragraph may be performed in a visual simulator approved under § 121.407 to include takeoff and landing maneuvers. In addition, any person who fails to make the three required takeoffs and landings within any consecutive 90-day period must reestablish recency of experience as provided in paragraph (b) of this section.

(b) In addition to meeting all applicable training and checking requirements of this part, a required pilot flight crewmember who has not met the requirements of paragraph (a) of this section must reestablish recency of experience as follows:

(1) Under the supervision of a check airman, make at least three takeoffs and landings in the type airplane in which that person is to serve or in an advanced simulator or visual simulator. When a visual simulator is used, the requirements of paragraph (c) of this section must be met.

(2) The takeoffs and landings required in paragraph (b)(1) of this section must include—

(i) At least one takeoff with a simulated failure of the most critical powerplant;

(ii) At least one landing from an ILS approach to the lowest ILS minimum