

Supporting Statement

OMB 2120-0009

Pilot Schools - FAR Part 141

REVISION SUMMARY: Section 141.27 allows pilot schools that hold training course approvals for special curricula courses to renew their Air Agency Certificate based on their students' successful completion of an end-of-course test for these FAA approved courses which count towards maintaining the quality of training as required by §141.83 and §141.5(d). There are currently hundreds of FAA approved special curricula courses in use by active pilot schools. It is likely that with this allowance, some schools will request new special curricula course approvals. The FAA estimates that of the 514¹ active 141 pilot schools approximately 25% have FAA approved special curricula courses. The FAA anticipates:

- (1) a new time burden for the increase in requests for approval of special curricula courses, and
- (2) a new time burden of including the pass rate of students completing these courses.

These burdens are reflected under § 141.57, Special Curricula and § 141.13, Application, and §141.27 Renewal of certificates and ratings.

The allowance under §141.5(d) to accept student completions of a special curricula course for pilot school renewal will likely generate some new requests for special curricula approvals from existing pilot schools. We estimate a 10% increase in applicant requests per year. These changes result in an increase of 197 burden hours, from the previously approved 31,640 to 31,837.

In addition, the FAA has adjusted the annualized labor costs of compliance with this ICR. Previous versions of this ICR did not account for the hourly costs of §§ 141.57, 141.63, 141.87, and 141.101.

1. Explain the circumstances that make the collection of information necessary.

This paperwork burden directly supports the Department of Transportation Strategic Goal on Safety. Specifically, the goal is to promote the public health and safety by working toward the elimination of transportation related deaths, injuries, and property damage.

49 U.S.C. Section 44707 empowers the Administrator of the Federal Aviation Administration (FAA) to provide for the examination and rating of civilian schools giving instruction in flying. This CFR prescribes the requirements for issuing pilot school certificates, provisional pilot school certificates and associated ratings to qualified applicants. In addition to the statutory and regulatory basis, the collection of this information is necessary for:

- a. Collection and public dissemination of alphabetical listing of schools via the FAA public web site: http://www.faa.gov/training_testing/schools/;
- b. Issuance, renewal, or amendment of applicants' pilot school certificates; and
- c. It is necessary to certify pilot schools to insure that minimum acceptable training standards are met.

2. Indicate how, by whom, and for what purpose the information is to be used.

Pilot Schools seeking to maintain certification or who wish to be issued pilot school certificates and associated ratings are mandated to report information to the FAA and to keep specific records. Pilot schools train private, commercial, flight instructor, and airline transport pilots, along with training for associated ratings in various types of aircraft. The FAA form 8240-8 is necessary to assure continuing compliance with Part 141, renewal of pilot school certificates every 24 months, and for any amendments to pilot school certificates. FAA approval of pilot school certificate amendments enables schools to provide new training courses not previously approved. FAA Form 8420-8, Application for Pilot School Certificate, which is also used when renewing a part 141 pilot

¹ As of April 1, 2019.

school certificate, may be completed electronically or the form may be completed in duplicate by paper and submitted to the managing Flight Standards District Office (FSDO).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Currently, pilot school statistical information is collected and entered into the Flight Standards National Vital Information System (Air Agency-Part 141). This information does not include any statistical information regarding the many non-FAA certificated flight schools operated in accordance with the regulations of Part 61. Part 141 permits trainees to meet the flight experience requirements of Part 61 with less flight time as the training is more controlled through supervision, is conducted by experienced instructors, and Part 141 pilot schools are required to use a structured training program and syllabus. At the present time, the best method available to evaluate an applicant's eligibility for initial issuance or renewal of a Part 141 school certificate is the review of the applicant's FAA Form 8420-8, plus the accompanying Training Course Outline (TCO) and syllabus as required by §141.55. The Form is sent to the FAA with attachments as required by Part 141 Subpart C, which contains information such as meeting minimum training requirements for that course that the applicant desires the FAA District Office to know and cannot be indicated on the Form. The FAA field offices are being encouraged to accept electronic submissions instead of paper submissions which is reflected in FAA Order 8900.1, Volume 2, Chapter 9, Section 1, paragraph 2-1071 which states "TCOs must be submitted in duplicate. However, submission of TCOs and syllabi may be done electronically, with one electronic submission equal to two paper copies. During initial approval of the TCO, the inspector may request only one paper copy for review. Once the TCO has met all the requirements, the applicant submits the required two paper copies, or one electronic copy."

Upon receipt of the applicant's Form 8420-8 and the accompanying TCO and syllabus, FAA inspectors physically verify such things as:

- a. The Facilities and Training Aids,
- b. The existence of a principal business office for school files and records,
- c. The type of aircraft used in the training course including any special equipment used for each phase of flight,
- d. The existence of the continuous pilot briefing areas at each airport where flights originate,
- e. Show that it has the continuous use of each airport where training flights originate,
- f. Inspection of the aircraft used and maintained by the school,
- g. Credentials of the Chief Instructor, and any Assistant Chief Instructor
- h. Review and approval of the Training Course Outline(s) and syllabus.

In summation, the FAA Form 8420-8 is used as the base document to initiate and/or confirm the status of the schools' eligibility to hold an FAA Form 8000-4, Air Agency Certificate. FAA Form 8420-8 in itself is not the only document that an applicant sends to the managing Flight Standards District Office (FSDO). As noted above, during the certification process, our inspectors are required to go to the applicant's location to perform their inspection in order to certificate a part 141 pilot school. At this time the infrastructure is not in place to electronically complete the forms in-person at all flight school locations; however, we are encouraging the managing FSDOs to use electronic submissions and use electronic signatures. We have updated the Web Based Operations Safety System (WebOPSS) to approve TCOs and syllabi for part 141 pilot schools electronically through the use of the automated standardized Letters of Authorizations (LOAs). Work is currently being conducted on the Safety Assurance System (SAS) to include Part 141 in this system. Currently, 14 CFR parts 121, and 135 are using this system. In SAS an applicant for a part 141 pilot school will make an application for a part 141 pilot school certificate through the electronic SAS external portal. SAS is a standardized risk-based, data-supported oversight system. SAS is designed based on three roles: Initial Certification, Continued Operational Safety (COS), and Assurance Support. The SAS External Portal is a secure, user-friendly, web-

based system that allows the Aviation Safety Inspector (ASI) and the certificate holder or applicant to exchange information and populate the SAS automation. The certificate holder or applicant can use the SAS External Portal to submit data. Once certification has been assigned to inspectors, the documentation of the certification process will be done through SAS.

4. Describe efforts to identify duplication.

We have reviewed the other FAA public use reports and find no duplication. Also, we know of no other agency collecting information on pilot school applicants for the purpose of certifying these applicants.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

Completion of the required items is of minimal burden to the respondent due to the simplistic format of the document. Many local offices further reduce this burden by preparing the application for the respondent's signature.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Frequency of collection is determined by the applicant requesting certification benefit. A decrease of initial applicants is governed by the applicant, not the FAA. While no technical or legal obstacles are anticipated, we do not presently foresee any public burden reduction. The consequence to FAA's program activities if the collection of information was not conducted would be the inability to determine whether or not an applicant met the criteria for a pilot school certificate.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with 5 CFR 1320.5(d) (2).

This collection of information is conducted in a manner consistent with 5 CFR 1320.5(d)(2).

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB.

The FAA published the notice of proposed rulemaking, Regulatory Relief, Aviation Training devices; Pilot Certification, Training, and Pilot Schools; and Other Provisions on May 12, 2016 (81 FR 29719). In that NPRM, the FAA proposed to amend § 141.5(d) to allow part 141 pilot schools that hold training course approvals for special curricula courses under §141.57 to renew their pilot school certificates based on their students' successful completion of an end-of-course test for these FAA approved courses. In that NPRM, the FAA further proposed to adjust the number of pilot schools based on population changes, and to account for the change in burden associated with these new courses. The FAA finalized this proposal in the final rule Regulatory Relief: Aviation Training Devices; Pilot Certification, Training, and Pilot Schools; and Other Provisions, on June 27, 2018 (83 FR 30232)

In the NPRM, the FAA did not solicit comments on the proposed revision to information collection 2120-0009. Therefore, the FAA published a 60-day notice and request for comments on June 14, 2018 (83 FR 27820). No comments on the proposed revisions to information collection 2120-0009 were received during the comment period. Therefore, the FAA is finalizing the changes to information collection 2120-0009 as proposed.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There is no payment involved in this collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

No assurance of confidentiality is promised.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

There are no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

Estimated annualized costs to respondents is **\$763,274**, and the estimated burden hours are **31,837**. Total responses are **1,049**.

This cost is determined by estimating the applicant's time required to complete and submit new applications, as well as apply for renewal or amendment to existing certificates. The estimate also includes the average time required to prepare a training course outline. The FAA believes that form 8420.8, training course outlines, and other paperwork and recordkeeping tasks are completed by flight instructors. Flight instructors typically charge by the hour for the instruction provided. This ICR evaluation uses a flight instructor hourly wage rate of \$20.54. The FAA increased this hourly rate by 31.4% to include fringe benefits,² resulting in a fully burdened wage rate of approximately \$27/hour. This information is derived from the Bureau of Labor Statistics, Education, Training, and Library Occupations (code 25-0000) in the Nonscheduled Air Transportation Industry (NAICS 481200), and is assumed to be representative of flight instructor and representative occupations.

http://www.bls.gov/oes/current/naics4_481200.htm

The specific reporting and recordkeeping requirements of Part 141 are prescribed by the following sections:

Section 141.13, Application - requires an applicant to submit FAA Form 8420.8, Application for Pilot School Certificate, for an original certificate, amendment, or renewal. Unless sooner surrendered, suspended, or revoked, a pilot's school certificate is effective for 24 months.

We estimate 31 new applications for original certification annually from applicants that have never been issued a pilot school certificate. We estimate 257 applications for renewal annually. This figure represents half of the current 514 certificated pilot schools, since they all must apply for renewal every 24 months.

31 new applications at .5 hours each	=	15.5 hours.
257 applications for renewal at .5 hours each	=	128.5 hours
20 applications for amendment at .5 hours each	=	<u>10.0 hours</u>
		154.0 hours

We estimate that of the 31 new applications for pilot school certificates, 25% will have special curricula courses that will need to be accounted for in the passage rate required for issuance of a certificate in § 141.5(d). Of the 257 applications for renewal of pilot school certificates, approximately 25% would include special curricula courses that must now be accounted for in the passage rate for renewal of a certificate under § 141.5(d). We estimate that it would take 0.1 hours to add this special curricula course information to both the initial and renewal applications.

8 new applications at 0.1 hours each	=	.8 hours
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² <https://www.bls.gov/news.release/ecec.nr0.htm>

$257 \times .25 = 64$ applications at .1 hours each (adding special curr.) = 6.4 hours

$154 \text{ hours} + 0.8 \text{ hours} + 6.4 \text{ hours} = 161 \text{ total burden hours}$

Cost: $161 \times \$27 = \$4,347$

Section 141.53, Training Course Outline - requires an applicant for initial or amended pilot school certificate to submit an initial or amended training course outline (TCO) along with FAA Form 8420-8 for approval, indicating how the pilot school intends to train the students.

We estimate 35 new applicants annually for approval of training course outlines on a one-time basis from applicants never before issued a pilot school certificate. We estimate that 200 hours are required to prepare an acceptable TCO. However, acceptable outlines are easily obtained commercially. Therefore, most applicants spend relatively little time in preparation of training course outlines. We estimate then that only 5 new applicants will devise their own TCOs.

5 new applicants at 200 hours each = 1,000 hours per year

Cost: $1000 \times \$27 = \$27,000$

Section 141.57, Special Curricula - an applicant for a pilot school certificate can apply for approval to conduct a special pilot training course by submitting FAA Form 8420-8. We estimate 55 applicants per year at 20 hours each.

55 applicants at 20 hours each = 1,100 hours per year

Cost: $1,100 \times \$27 = \$29,700$

Section 141.63, Application for Examining Authority - is made by the holder of a pilot certificate on FAA Form 8420-8. We estimate 15 new applicants for examining authority at 20 hours each.

15 new applicants at 20 hours each = 300 hours per year

Cost: $300 \times \$27 = \$8,100$

Section 141.87, Change of Chief Instructor - holders of a pilot school certificate must notify the FAA of changes in chief instructor designations. We estimate 80 annual reports at 0.1 hours each.

80 annual reports at 0.1 hours = 8 hours

Cost: $8 \times \$27 = \216

Section 141.101, Training Records - each holder of a pilot school certificate shall establish and maintain current and accurate records for each student. We estimate that the total annual recordkeeping amounts total 26,200 hours, based on an average of 50 hours per year for each of the 581 certificated pilot schools.

514 schools \times 50 hrs = 25,700 hours

Cost: $25,700 \times \$27 = \$693,900$

SUMMARY OF BURDENS

<u>Reporting Burden</u>				
Section		Hours	Respondents	Cost (labor)
Section 141.13, Application		154	308	\$4,158
Section 141.5(d)new special curricula		1	8	\$27
Section 141.5(d)renew special curricula		6.4	64	\$173
Section 141.53, Training Course Outline		1000	5	\$27,000
Section 141.57, Special Curricula		1,100	55	\$29,700
Section 141.63, Application for Examining Authority		300	15	\$8,100
Section 141.87, Change of Chief Instructor		8	80	\$216
Total		2,569	535	\$69,374
<u>Recordkeeping Burden</u>				
Section 141.101, Training Records		25,700	514	\$693,900
TOTAL BURDEN		28,269	1,049 responses	\$763,274

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There is no additional cost not already included in question #12.

14. Provide estimates of annualized cost to the Federal government. Also provide a description of the method used to estimate cost, which include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

Estimated annualized cost to the Federal Government is **\$25,664**. This cost is based on FAA inspectors' time to review and process new applications, renewals, and amendments to existing certificates. It also includes time spent reviewing and approving training course outlines. The FAA safety inspector rate of \$47.38 was obtained from the 2018 General Schedule Salary Table as published by the U. S. Office of Personnel Management. The fully burdened salary used for calculating costs is the base hourly salary of \$47.38 for a GS 13 Step 5, which is the mid-range salary for this position multiplied by the FAA fringe benefit salary multiplier of 1.36³ to yield the fully burdened rate of \$64.44.

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|----|---|-----------------|
| a. | 514 Form 8420-8 at .5 hours each x \$64 per hour | = \$16,448 |
| b. | 6 training course outlines at an average of 24 hours each x \$64 per hour | = \$ 9,216 |
| | Total cost | \$25,664 |

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

³ <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2008/m08-13.pdf>

Section 141.5(d) allows pilot schools that hold training course approvals for special curricula courses to renew their certificates based on their students' successful completion of an end-of-course test for these FAA approved courses. There are currently hundreds of FAA approved special curricula courses in use by active pilot schools. It is likely that with this new allowance, some schools will request new special curricula course approvals. The FAA estimates that of the 581 active 141 pilot schools approximately 25% (145) have FAA approved special curricula courses. The FAA anticipates:

- (3) a new time burden for the increase in requests for approval of special curricula courses, and
- (4) a new time burden of including the pass rate of students completing these courses.

These burdens are reflected under § 141.57, Special Curricula and Section 141.13, Application.

The allowance under §141.5(d) to accept student completions of a special curricula course for pilot school renewal will likely generate some new requests for special curricula approvals from existing pilot schools. We estimate a 10% increase in applicant requests per year. These changes result in an increase of 197 burden hours, from the previously approved 31,640 to 31,837.

In addition, the FAA has adjusted the annualized costs of compliance with this ICR. Previous versions of this ICR did not account for the hourly costs of §§ 141.57, 141.63, 141.87, and 141.101.

Finally, the previous version of this collection, approved in 2016, erroneously listed a \$30,793 burden for operating costs beyond burdened hours. That number has been corrected and is now zero.

16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of this collection of information, completion of report, publication dates, and other actions.

No publication is planned for this information.

17. In seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

FAA is not seeking such approval.

18. Explain each exception to the certification statement identified in item 19, "Certification for Paperwork Reduction Act Submissions" of OMB Form 83-I.

There are no exceptions.