

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.100

National Policy

Effective Date:
10/30/09

Cancellation Date:
10/30/10

SUBJ: New Section 61.31(k) That Requires Night Vision Goggles Training, Endorsement, and Qualification for Pilots and Flight Instructors

1. Purpose of This Notice. This notice provides guidance to aviation safety inspectors (ASI) concerning the new Title 14 of the Code of Federal Regulations (14 CFR) part 61, § 61.31(k) that requires night vision goggles (NVG) training, endorsement, and qualification for pilots and flight instructors who elect to use NVG.

2. Audience. The primary audience for this notice is Flight Standards District Office (FSDO) ASIs with oversight responsibilities for pilot and flight instructor certification. The secondary audience includes Flight Standards branches and divisions in the regions and in headquarters.

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee Web site at https://employees.faa.gov/tool_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Operators may find this information on the Federal Aviation Administration (FAA) Web site at <http://fsims.faa.gov>.

4. Background. On August 21, 2009, the FAA issued the “Pilot, Flight Instructor, and Pilot School Certification” final rule (74 FR 42500-42571, August 21, 2009). ASIs can retrieve and download this final rule at the following FAA Web site: http://www.faa.gov/regulations_policies/rulemaking/recently_published/.

5. Pilots Policy for NVG Operations. Per § 61.73(k), this new rule requires ground and flight training and a one-time instructor endorsement for a pilot to act as pilot-in-command (PIC) during NVG operations. This final rule “*grandfathers*” PICs previously qualified as a PIC for NVG operations under § 61.31(k). Under new subparagraph (k)(3) a pilot will not need the “*one-time*” NVG training and endorsement, provided the pilot can document satisfactorily accomplishing any of the following pilot checks for using NVG in an aircraft:

a. U.S. Armed Forces. A U.S. Armed Forces conducted pilot proficiency check on NVG operations.

b. Examiner or Check Airman. An examiner or check airman conducted pilot proficiency check on NVG operations under 14 CFR part 135.

c. NVG Manufacturer or Authorized Instructor. A NVG manufacturer or authorized instructor conducted pilot proficiency check on NVG operations, when the pilot:

- (1) Is employed by a Federal, State, county, or municipal law enforcement agency; and
- (2) Has logged at least 20 hours as PIC in NVG operations.

6. Pilots' Recency of Experience Requirements for NVG Operations. The new § 61.57(f) establishes, as a recent flight experience requirement, that pilots remain PIC qualified for NVG operations. For a pilot to act as PIC using NVG with passengers onboard, the pilot, within the preceding 2 calendar-months, will have to perform and document the tasks under new § 61.57(f) as the sole manipulator of the controls during the time period beginning 1 hour after sunset and ending one hour before sunrise. If the pilot did not perform and log the tasks under § 61.57(f), then the FAA will allow the pilot an additional two calendar-months to perform and log the tasks under § 61.57(f). However, the FAA will not allow the pilot to carry passengers during this second two-month period. If the pilot still did not perform and log the NVG tasks in revised § 61.57(f), during those additional 3 calendar-months, then the FAA will require the pilot to pass a NVG proficiency check to act as PIC using NVG. Section 61.57(f) lists the recent flight experience requirements for maintaining PIC qualifications for NVG operation. Those recent flight experience requirements are:

a. NVG Operating Experience. An individual may act as PIC in a NVG operation with passengers onboard only if, within 2 calendar-months preceding the month of the flight, that individual performs and logs the following tasks as the sole manipulator of the controls on a flight during a NVG operation:

- (1) Three takeoffs and three landings, with each takeoff and landing including a climb-out, cruise, descent, and approach phase of flight (only required if the pilot wants to use NVG during the takeoff and landing phases of the flight).
- (2) Three hovering tasks (only required if the pilot wants to use NVG when operating helicopters or powered-lifts during the hovering phase of flight).
- (3) Three area departure and area arrival tasks.
- (4) Three tasks of transitioning from aided night flight (aided night flight means that the pilot uses NVG to maintain visual surface reference) to unaided night flight (unaided night flight means that the pilot does not use NVG) and back to aided night flight.
- (5) Three NVG operations, or when operating helicopters or powered-lifts, six NVG operations.
- (6) An individual may act as PIC using NVG only if, within the 4 calendar-months preceding the month of the flight, that pilot performs and logs the tasks listed in § 61.57(f)(1)(i) through (v) as the sole manipulator of the controls during a NVG operation.

b. NVG Proficiency Check. A pilot must either meet the NVG experience requirements of § 61.57(f)(1) or (f)(2) or pass a NVG proficiency check to act as PIC using NVG. The pilot must

perform the proficiency check in the category of aircraft that is appropriate to the NVG operation for which the individual is seeking the NVG privilege or in a flight simulator (SIM) or flight training device (FTD) that is representative of that category of aircraft. The check must consist of the tasks listed in § 61.31(k) and the check must be performed by:

(1) An examiner qualified to perform NVG operations in that same aircraft category and class;

(2) An individual authorized by the U.S. Armed Forces to perform NVG proficiency checks, provided the person being administered the check is also a member of the U.S. Armed Forces;

(3) A company check pilot authorized to perform NVG proficiency checks under 14 CFR parts 121, 125, or 135, provided that both the check pilot and the pilot being tested are employees of that operator;

(4) An authorized flight instructor qualified to perform NVG operations in that same aircraft category and class;

(5) An individual qualified as PIC for NVG operations in accordance with paragraph (f); or

(6) An individual who is FAA-approved to perform NVG proficiency checks.

7. Policy for Flight Instructor Requirements for NVG Qualifications. Per the new § 61.195(k), a flight instructor authorized to conduct NVG training and endorsements must:

a. Hold Appropriate Certificate. Hold the appropriate pilot and flight instructor certificate with the applicable category and class rating;

b. Hold a Type Rating. If appropriate, hold a type rating on his or her pilot certificate for the aircraft that the NVG training is given in;

c. PIC Qualified with § 61.31. Be PIC qualified for NVG operations, in accordance with § 61.31(k);

d. 100 NVG Operations at Controls. Have logged 100 NVG operations as the sole manipulator of the controls;

e. 20 NVG Operations in Category/Class/Type Aircraft. Have logged 20 NVG operations as the sole manipulator of the controls in the category and class, and type of aircraft, if aircraft class and type is appropriate, that the training will be given in;

f. Qualified as PIC under § 61.57. Be qualified to act as PIC in NVG operations under § 61.57(f) or (g); and

g. Have Logbook Endorsement. Have a logbook endorsement from an FAA ASI, or an FAA-authorized individual to provide that logbook endorsement, that states the FAA authorizes

the flight instructor to perform the NVG PIC qualification and recent flight experience requirements under § 61.31(k) and § 61.57(f) and (g). Per § 61.195(k)(7), an FAA ASI or an FAA authorized individual is permitted to sign the logbook of a flight instructor to authorize a flight instructor to conduct NVG PIC qualification and recent flight experience training. It is expected that the FAA ASI and FAA-authorized individual have met the requirements of § 61.31(k)(3) and be NVG current in accordance with § 61.57(f) or (g). However, depending on the qualifications and experience levels of our ASIs in the FSDOs and Regional Offices, we may have to consider “best qualified” criteria in selecting ASIs to perform this endorsement job assignment. Since this is a new program, the Certification and General Aviation Operation Branch, AFS-810, is available for consultations with our FSDOs and Regional Offices on this subject matter.

8. FAA Orders 8900.1 and 8900.2. This is a special emphasis notification. Flight Standards Service (AFS) will incorporate the information in this notice into the next update to FAA Orders 8900.1, Flight Standards Information Management System (FSIMS), and 8900.2, General Aviation Airman Designee Handbook. This update will include:

- Adding a new paragraph to FAA Order 8900.1, Volume 5, Chapter 2, Section 3.
- Adding a new paragraph to FAA Order 8900.2, Chapter 7, Section 5.

9. Disposition. AFS will permanently incorporate the information in this notice into FSIMS before this notice expires. Direct questions concerning this notice to John D. Lynch, Certification and General Aviation Operations Branch (AFS-810), at (202) 267-3844; e-mail: john.d.lynch@faa.gov.

ORIGINAL Signed by

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