



Department of Administrative Services

POLICY MANUAL

Issuing Division: Risk Management Division

Subject: Aircraft & Pilot Standards

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Approval

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I. APPLICABILITY

This policy applies to all state agencies and employees operating aircraft on state business. Take note, this policy applies differently to each of three situations. It contains: (i) requirements for pilot travel reimbursement, (ii) requirements for all pilots of any agency that wishes to qualify for excess liability insurance, and (iii) recommendations, but not requirements, for all others. This policy does not apply to military aircraft, regularly scheduled commercial flights, or to commercial charter services which supply the aircraft and its pilot.

Special Note: Each agency must file with the Risk Management Division its decision whether to conform to this policy and to qualify for excess liability insurance. Filing its affirmative decision automatically qualifies the agency for the excess coverage. It is the responsibility of the agency to verify its pilots are qualified and all other points of this policy are followed. A form is attached for initial filing. Each year, by August 15, agencies will be asked for its decision in Risk Management Division's Risk Report.

II. AUTHORITY

ORS 278.405, OAR 14-030-01 and 14-030-05, FAR Part 1, 61, 67, 91.

III. DEFINITIONS

- A. **Agency:** Means a board, commission, department, division, institution or branch of the State of Oregon with a unique agency number assigned by the Department of Administrative Services, State Controller's Division, and which is charged Insurance Fund premiums from the Risk Management Division. Soil and Water Conservation Districts within the state of Oregon are included in this definition.
- B. **Airworthiness Certificate:** The certificate issued for the aircraft by the Federal aviation Administration (FAA), attesting to the aircraft's known suitability for safe flight.
- C. **Aircraft:** Used alone, means private, rental or state owned aircraft used for state business.
- D. **Category:** A broad classification of aircraft such as: airplane, rotorcraft, glider and lighter-than-air. **Category** also applies to the grouping of aircraft based upon

intended use and operating limitations such as transport, normal, utility, restricted and provisional.

- E. **Class:** A classification of aircraft within a category having similar operating characteristics. Examples are: single engine, multi-engine, land, water, gyro, helicopter, airship and free balloon. With respect to the certification of aircraft, **class** means a broad grouping of aircraft having similar characteristics of propulsion, flight or landing. Examples are: airplane, rotorcraft, glider, balloon, landplane and seaplane.
- F. **Crewmember:** A person with an assigned duty during flight that involves operation of the aircraft or that is otherwise substantially related to the primary purpose of the flight. A crewmember's principal reason for being aboard the aircraft is to perform those assigned duties and not as a passenger.
- G. **Excess Liability Insurance:** Coverage purchased by the Risk Management Division to pay state agencies' catastrophic liability losses incurred through the piloting of aircraft by state employees on state business. The current policy covers losses beyond the Oregon Tort Claims Act for qualifying agencies to a limit of \$25 million. Losses paid by this insurance do not increase an agency's Insurance Fund liability premiums.
- H. **FAA:** Refers to Federal Aviation Administration.
- I. **FAR:** Federal Aviation Regulations.
- J. **Medical Certificate:** The certificate issued by an Airman Medical Examiner recognized by the FAA that the pilot meets medical standards for the class of Medical Certificate issued.
- K. **Passenger:** Any person other than pilot or crew and whose principal reason for being aboard the aircraft is transportation.
- L. **Pilot Certificate:** A certificate issued to a pilot by the FAA, which specifies the privileges, ratings and limitations given to the pilot by the FAA.
- M. **Private Aircraft:** An aircraft not owned or leased by an agency of the State. Private aircraft does not include regularly scheduled or chartered, commercially piloted aircraft nor military aircraft.
- N. **State Aircraft:** A non-military aircraft owned, leased or rented by a state agency.
- O. **Travel Reimbursement:** Any state agency payment to any state employee to reimburse any or all of his or her costs of travel in an aircraft owned, borrowed, or rented by that employee.
- P. **Type:** A specific make and model of aircraft including modifications that do not change its handling or flight characteristics. When applied to the certification of aircraft, it means those aircraft that are similar in design.

IV. GENERAL POLICY

The purpose of this policy manual is to limit the likelihood and the cost of accidents while encouraging the safe and economical use of aircraft for appropriate State business. The policy sets standards for pilots, crew, cargo, passengers, and agencies when aircraft are used on state business.

Agencies are urged, but not required to follow this policy manual for all pilots and aircraft. Agencies and their authorized pilots must follow this policy manual (i) to pay travel reimbursement to any pilot, and (ii) to qualify for agency excess liability insurance.

With regard to the safe use of aircraft on state business, it is the policy of the State of Oregon that:

- A. Only employees who hold a Private, Commercial or Airline Transport Pilot Certificate and meet the pilot requirements of this policy manual may pilot aircraft on state business.
- B. Pilots who carry passengers on state business are required to possess current pilot and medical certificates, have experience in accordance with Federal Aviation Administration Part 61 sub-part E and F, and meet or exceed the "pilot requirements" of this policy manual. See special exception for "training pilots" under (2) **Pilot Qualifications**.
- C. Student pilots are prohibited from piloting any aircraft on state business.
- D. The safe use of aircraft is encouraged whenever flying gives a clear economic benefit to the state. In particular, the fullest use of state-owned aircraft is encouraged.
- E. No training flights will be conducted, with passengers on board, except as provided under the special exception to (2) **Pilot Requirements**.
- F. All cross country flights, require the filing of a VFR (Visual Flight Rules) or IFR flight plan.
- G. Pilots are responsible to comply with all FAA and Aeronautics Division regulations and to keep their certificates, ratings, and records current.
- H. Non-emergency landings may only be made at FAA approved, designated public-use, airports. Pilots renting aircraft must check with the renting entity to confirm terms of the rental agreement which may further restrict where landings may be made. State Police, Forestry, Emergency Management, Aeronautics and Military departments' aircraft may be operated from non-FAA approved landing areas should the mission require such activities.
- I. Only persons authorized annually in advance and in writing (position description or other) by their agency administrator or designee may pilot aircraft on state business. Agencies must keep a register of authorized pilots.

- J. All cargo must conform to all applicable federal and state laws and rules. Hazardous cargo must be transported by the safest effective means of transportation, not necessarily the cheapest.
- K. Agencies may set more restrictive standards than the minimums contained in this policy.

V. PILOT REQUIREMENTS

The following qualifications must be met by any pilot seeking travel reimbursement. It must also be met by all the pilots of any agency which wishes to qualify for agency excess liability insurance. Pilots must:

- A. Have a current FAA medical certificate.
- B. Have at least a Private Pilot certificate issued by the FAA for the class and category of aircraft to be operated. Non-instrument rated pilots shall be restricted to daytime flight, VFR, conditions only.
- C. Have satisfied FAA biennial flight review requirements.
- D. Have registered their certificate with the Aeronautics Division.
- E. Have a written authorization on file from the agency administrator or designee to pilot aircraft on state business and, if applicable, to carry passengers.
- F. To fly passengers, a pilot must have at least 250 hours logged as pilot-in-command, in category and hold a Commercial Certificate or have at least 500 hours logged and hold a private certificate.

Special Exception: A licensed pilot who does not have the required commercial license and ratings or lacks required hours as pilot in command, may fly passengers if he or she is engaged in a written training plan under the supervision of a qualified instructor employed by the state or retained at state expense to train the pilot. The written training plan must contain any flight limits or restrictions for the pilot-in-training as set by the instructor. The pilot must have logged at least 250 hours as pilot-in-command.

- G. To operate complex single-engine piston aircraft, a pilot must have at least 25 hours, pilot-in-command, in an aircraft with retractable gear, variable pitch propeller, turbo-charged engine or pressurized cabin.
- H. To operate a twin-engine piston aircraft, a pilot must hold a commercial multi-engine pilot certificate with current instrument rating. The pilot must have logged 1,500 hours total hours with 100 hours in multi-engine aircraft. For turbine powered, multi-engine aircraft, in addition to the above qualifications, the pilot must also have logged 100 hours in turbine-powered multi-engine aircraft.

- I. For all fixed-wing aircraft, pilots must have logged at least 25 hours in the type of aircraft to be flown (5 in the last 6 months).
- J. To operate a single-engine helicopter with either piston or turbine engine, and with less than 5 passenger capacity, the pilot must hold a commercial pilot certificate with helicopter rating and have logged at least 250 hours in category and type, (50 in the last year). To operate a helicopter with more than 4 passenger capacity, a pilot must have logged at least 1,000 hours in category and 100 hours in type. Employees whose written description of duties does not require helicopter piloting may not pilot helicopters on state business.

It is recommended, but not required, that the preceding qualifications also be used: (i) by agencies who do not want excess liability insurance and (ii) by agencies which employ pilots wishing to fly private aircraft without expense reimbursement.

VI. AIRCRAFT AIRWORTHINESS

All aircraft, without exception must:

- A. Have a valid standard, utility, or transport, category Airworthiness Certificate, an FAA Registration Certificate, and a current State Aeronautics Division Registration.
- B. Be maintained in working order in compliance with annual inspection criteria and manufacturer's recommendations, or in compliance with a progressive maintenance program, approved by the FAA.

VII. PASSENGERS

Passenger safety is primary in any use of aircraft. No passenger should normally be asked to ride in an aircraft piloted by anyone other than a qualified and proficient pilot.

- A. Passengers must be state officers, employees, or agents on state business. To the extent permitted by law, they may also include state clients when necessary to the client's or the public's health or safety or to the agency's mission.
- B. It is recommended that no more than two top management employees of any agency fly in the same private aircraft.
- C. Passengers should be thoroughly briefed by the pilot before boarding so as not to approach or depart from an aircraft while the engines are running and to insure each wears a seat belt when required and follows all safety directives of the pilot.
- D. No plane with seating for more than 10 passengers may qualify for excess liability coverage.

VIII. AGENCY PILOT VERIFICATIONS

The agency authorizing an employee to pilot an aircraft on state business and paying pilot travel reimbursement or wishing to qualify for agency excess liability insurance must, on an annual basis:

- A. Confirm the pilot has current and medical certificates;
- B. Have the pilot sign a copy of these pilot aircraft standards stating he/she will abide by them;
- C. Maintain a file on each hired, professional pilot and any other pilot within the agency potentially available for piloting aircraft. The file must include, at least, an up-to-date copy of Risk Management Division's pilot history and qualifications form;
- D. Give any other agency supplying air transportation the name and duty status of passengers scheduled for flights on aircraft;
- E. Notify the Risk Management Division in writing (via annual Risk Reports) of its election to comply with (or not to comply with) the provisions of this policy manual required to qualify for excess liability insurance. An agency election to comply, means its flights are covered by insurance. It is the responsibility of the agency to, thereafter, assure that its pilots and flights comply with this policy. (Specific data on pilots and planes is also required.)

Replaces 7/1/92 version

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