

July 5, 2024

Electronic Submission via www.regulations.gov

Subject: **Petition for Exemption to 14 CFR 121.434(c)(1)(ii)**

Dear Administrator,

Silver Airways, LLC ("Silver Airways") is requesting an exemption to 14 CFR 121.434(c)(1)(ii), which requires a Pilot in Command (PIC) completing initial or upgrade training to be observed by a Federal Aviation Administration Inspector during at least one flight leg that includes takeoff and landing. Silver Airways seeks to substitute a qualified and FAA-authorized Check Airman or Aircrew Program Designee ("APD"), in place of an FAA inspector, to observe a qualifying pilot in command as required by 14 CFR 121.434(c)(1)(ii).

Public Interest Justification:

Granting this exemption is in the public interest as it allows the FAA to utilize inspectors for more immediate needs, potentially saving on travel expenses and reducing the logistical burden of international travel. This exemption would enable Silver Airways to maintain efficient and continuous pilot training on international routes, ensuring timely and reliable air service.

Safety Justification:

This exemption will not adversely affect safety. Silver Airways' Check Airmen and APDs are highly trained and experienced, approved by the FAA, and will conduct observations under strict conditions ensuring a level of safety equivalent to that provided by an FAA inspector. We propose that each Check Airman or APD must:

1. Be pre-approved by the Administrator for each PIC observation, reserving the FAA's right of first refusal.
2. Have served as a Check Airman or APD for Silver Airways for no less than six months.
3. Not supervise the OE or conduct the initial line check for the PIC candidate being observed.
4. Conduct the observation from the observer seat only. (i.e., not a required flightcrew member seat)

Summary for Federal Register Publication:

Silver Airways requests an exemption from 14 CFR 121.434(c)(1)(ii) to allow a qualified and authorized Check Airman or Aircrew Program Designee to substitute for an FAA inspector during the observation of a

qualifying Pilot in Command who is completing initial or upgrade training during at least one flight leg that includes takeoff and landing.

Additional Supporting Information:

Silver Airways' operations predominantly involve international routes in the Bahamian and Caribbean markets, including a substantial pilot base in Puerto Rico. The logistical challenges and additional costs associated with requiring FAA inspectors to travel to these locations can disrupt schedules and/or reduce the essential international exposure for our qualifying pilots. Allowing our Check Airmen and APDs to conduct these observations will streamline training processes while maintaining high safety standards. Silver Airways has a proven track record of safe operations and compliance with FAA regulations, as evidenced by our continuous safe operation since 1990 and our recent successful completion of an IATA Operational Safety Audit.

International Operations Justification:

Silver Airways requires this exemption to extend to our international operations to avoid removing qualifying PICs from international flights, which would limit their exposure to international procedures during OE. This exemption would ensure pilots receive continuous training on international routes without logistical delays associated with FAA inspector availability.

Thank you for considering our petition. We are confident this exemption will have a positive impact on safety, and we stand ready to provide any additional details required to ensure expeditious approval.



Bryan Fordham
Vice President of Flight Operations
Cell: 321-578-0693
Office: 954-880-9721
Bryan.Fordham@silverairways.com