



GOVERNMENT AFFAIRS DEPARTMENT

AIR LINE PILOTS ASSOCIATION INTERNATIONAL

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## **Pilot Fatigue FAR 117 Regulation**

### **Cargo Exclusion Fact Sheet**

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#### **Background**

On December 21, 2011 the Federal Aviation Administration (FAA) released its final regulations (FAR 117) to address pilot fatigue in the cockpit for passenger airlines only. Unfortunately, the rules excluded cargo airline operations from mandatory compliance. ALPA supports the fundamentals of these regulations with the exception of the cargo exclusion – these regulations are based on science and set forth reasonable standards to address pilot fatigue that ensure airline safety without placing unreasonable cost demands on industry.

For decades, ALPA has advocated for “One Level of Safety” for the simple reason that all pilots and airline operations should be treated equally regardless of payload or flight mission. While the 2011 FAA flight- and duty-time rules are a significant improvement over the antiquated rules established up to five decades ago, one glaring aspect of the rule was the inclusion of a “cargo carve out.” As the National Transportation Safety Board Chairman Deborah Hersman said after the final rule was released, expressing her disappointment on the exclusion of cargo operations, “A tired pilot is a tired pilot, whether there are 10 paying customers on board or 100, whether the payload is passengers or pallets.”

#### **Why Legislative Action is Needed Now**

By exempting cargo airline operations from mandatory compliance with the new pilot fatigue rules, the traveling public is at risk. Cargo pilots fly the same routes, in the same airspace, and into the same airports as passenger airlines. Moreover, cargo operations often taken place at night or early morning for express delivery of packages, increasing pilot fatigue, as proved by modern science. It does not make sense for the world-leader in airline safety to exclude cargo operations from science-based rules.

H.R. 182 will mandate that cargo operations will meet the same standards of safety as commercial passenger operations under FAR 117. The Safe Skies Act of 2013 simply requires the DOT to ensure that the flight duty, and rest requirements apply to all-cargo operations in the same manner as such requirements apply to passenger operations.

Congress mandated updated, science-based rest rules for all commercial airlines pilots

when it passed the Airline Safety and Federal Aviation Administration Extension Act of 2010 (P.L. 111-216). H.R. 182 fulfills Congress' intent to provide One Level of Safety for all air carrier operations.

To cosponsor H.R. 182, please contact Chris Berardini in Rep. Grimm's office at [Chris.Berardini@mail.house.gov](mailto:Chris.Berardini@mail.house.gov) or Eddie Shimkus at [Eddie.Shimkus@mail.house.gov](mailto:Eddie.Shimkus@mail.house.gov). For more information, contact ALPA Government Affairs at 202-797-4033 or [www.alpa.org](http://www.alpa.org).