Federal Aviation Administration

Memorandum

Date: FEB - 6 2012

To: Peter W. Gretsch, Manager Flight Inspection Operations Group, AJW-33

From: Rebecca B. MacPherson, Assistant Chief Counsel for Regulations, AGC-200

Prepared by: Dean E. Griffith, Attorney, Regulations Division, AGC-220

Subject: Demonstration of Circling Approaches

This memorandum is in response to your October 13, 2011 letter regarding whether the legal interpretation issued by this office on August 11, 2011 to the FAA's Flight Standards Service, applies to demonstration of circling approaches during part 135 competency checks and instrument proficiency checks. In your letter you mention a company that is not authorized to conduct airplane IFR circle-to-land approach maneuvers.

The August 11, 2011 interpretation addresses the instrument procedures that a pilot must demonstrate during an instrument proficiency check. It states that the instrument proficiency check, required by § 135.297, need only include the standard instrument approaches involving navigational facilities which the pilot is to be authorized to use in part 135 operations.

Section 135.297(b) requires that a pilot qualifying to use an instrument approach procedure must perform "one straight-in approach, one circling approach, and one missed approach" for each procedure demonstrated.

As a matter of FAA policy, pilots for part 135 operators are not required to demonstrate a circling approach if the certificate holder for whom they work is prohibited by the FAA from conducting such maneuvers with a ceiling below 1,000 feet and a visibility of less than 3 miles. FAA Order 8900.1, Vol. 5, Ch. 3, Sec. 2, Para. 5-832(c) (authorizing waiver of circling maneuvers); FAA Order 8900.1, Vol. 3, Ch. 19, Sec. 7, Table 3-70 (allowing waiver of instrument procedures). This policy was not changed by the August 11 interpretation.

Because the company in your letter is not authorized by the FAA to conduct circling instrument approaches with a ceiling below 1,000 feet and a visibility of less than 3 miles, it follows that its pilots are not required to demonstrate a circling approach to satisfy the requirements of § 135.297.

This response was prepared by Dean E. Griffith, Attorney in the Regulations Division of the Office of the Chief Counsel, and was coordinated with the Air Transportation Division of Flight Standards Service. Please contact us at (202) 267-3073 if we can be of further assistance.