U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
National Policy

ORDER 1110.144

Effective Date:
September 27, 2006

SUBJ: Age 60 Aviation Rulemaking Committee

1. PURPOSE. This order establishes the Age 60 Aviation Rulemaking Committee (ARC) according to the Administrator's authority under Title 49 of the United States Code (49 U.S.C.) section 106(p)(5).

2. DISTRIBUTION. This order is distributed to the director level in the Offices of Rulemaking; International Aviation; Chief Counsel; Flight Standards; Aerospace Medicine; Budget.

3. BACKGROUND.

a. Section 121.383(c) of Title 14 of the United States Code (the Age 60 Rule) prohibits any air carrier from using the services of any person as a pilot, and prohibits any person from serving as a pilot, on an airplane engaged in operations under part 121 if that person has reached his or her 60th birthday. The Federal Aviation Administration (FAA) adopted the Age 60 Rule in 1959. Part 121 covers operations of large commercial passenger aircraft, smaller propeller aircraft with 10 or more passenger seats, and common carriage operations of all-cargo aircraft with a payload capacity of 7500 pounds.

b. In November 2006, the International Civil Aviation Organization (ICAO) will adopt Amendment 167 to increase the "upper age limit" for pilots up to age 65 provided another pilot is under age 60. Non U.S. certificated pilots over age 60 currently fly into the United States and are given relief to the age 60 limit that exists under FAA regulations and ICAO standards through operating specifications (Ops Specs). Foreign pilots are not prohibited from flying into the United States with an over-age-60 pilot provided current FAA regulations and ICAO requirements for an under-age-60 pilot in command are met. When the new ICAO standard becomes effective in November, we will have to amend current Ops Specs issued to foreign air carriers to permit operation with either pilot over age 60 provided the other pilot is under age 60.

c. There is also proposed Congressional action regarding the Age 60 rule.

4. OBJECTIVES AND SCOPE OF THE COMMITTEE. The Age 60 ARC will provide a forum for the U.S. aviation community to discuss the new ICAO standard, make recommendations as to whether the U.S. should adopt that standard, and determine what actions would be necessary if FAA were to change the regulation to meet the new ICAO standard. The Age 60 ARC will make recommendations to the Administrator through the Associate Administrator for Aviation Safety.

5. COMMITTEE PROCEDURES.

a. The Associate Administrator for Aviation Safety will issue more specific taskings, including deliverable dates.

b. The committee provides advice and recommendations to the Associate Administrator for Aviation Safety. The committee acts solely in an advisory capacity.

c. The committee will discuss and present information, guidance, and recommendations that the members of the committee consider relevant to disposing of issues. Discussion will include, but is not limited to, the following:

(1) Operational objectives, recommendations, and requirements.

(2) Recommendations for rulemaking necessary to meet objectives.

(4) Guidance material and the implementation processes.

(5) Global harmonization issues and recommendations.

6. ORGANIZATION AND ADMINISTRATION.

a. The FAA will set up a committee representing the various parts of the industry and Government. The committee may set up specialized work groups that will include at least one committee member and invited subject matter experts from industry and Government, where necessary.

b. The Associate Administrator for Aviation Safety will have the sole discretion to appoint members or organizations to the committee. The committee will consist of members of the aviation community, including pilot unions and airlines. The FAA will provide participation and support from all affected lines-of-business.

c. The Associate Administrator for Aviation Safety will receive all committee recommendations and reports.

d. The Associate Administrator for Aviation Safety is the sponsor of the committee and will select industry co-chairs from the membership of the committee. Also, the Associate Administrator will select the FAA-designated representative for the committee. Once appointed, the co-chairs will:

(1) Determine, in coordination with the other members of the committee, when a meeting is required.

(2) Arrange notification to all committee members of the time and place for each meeting.

(3) Draft an agenda for each meeting and conduct the meeting.

e. A Record of Discussions of committee meetings will be kept.

f. Although a quorum is desirable at committee meetings, it is not required.

8. MEMBERSHIP.

a. The committee will consist of approximately 12 members, selected by the FAA, representing pilot unions, airlines, and FAA.

b. Each member or participant on the committee should represent an identified part of the aviation community and have the authority to speak for that part. Membership on the committee will be limited to promote discussions. Active participation and commitment by members will be essential for achieving the committee objectives and for continued membership on the committee. The committee may invite additional participants as subject matter experts to support specialized work groups.

9. PUBLIC PARTICIPATION. The Age 60 ARC meetings are not open to the public. Persons or organizations that are not members of this committee and are interested in attending a meeting must request and receive approval in advance of the meeting from the industry co-chairs or the designated Federal representative.

10. AVAILABILITY OF RECORDS. Under the Freedom of Information Act, 5 U.S.C. § 522, records, reports, agendas, working papers, and other documents that are made available to or prepared for or by the committee will be available for public inspection and copying at the FAA Office of Aerospace Medicine, 800 Independence Avenue, SW., Washington, DC 20591. Fees will be charged for information furnished to the public according to the fee schedule published in Title 49 of the Code of Federal Regulations part 7.

11. PUBLIC INTEREST. Forming the Age 60 ARC is determined to be in the public interest to fulfill the performance of duties imposed on FAA by law.

12. EFFECTIVE DATE AND DURATION. This committee is effective September 27, 2006. The committee will remain in existence until March 27, 2007, unless sooner terminated or extended by the Administrator. The first tasking will be completed within 60 days of the effective date of this Order.

Marion C. Blakey
Administrator