



May 25, 2023

Petition for Exemption

Docket Management System
US Department of
Transportation 1200 New
Jersey Avenue, SE West
Building Ground Floor Room
W12-140
Washington, DC 20590

RE: Petition for Exemption from 14 CFR§ 121.434(c)(1)(ii)

Dear Sir or Madam;

Pursuant to Part 11 of the Code of Federal Regulations (CFR), Global Crossing Airlines (GlobalX), designator GCXA, petitions the Administrator for an exemption from 14 CFR §121.434(c)(1)(ii). Grant of this exemption would permit GlobalX to substitute a qualified and authorized *Line Check Pilot* (LCP) or aircraft program designee (APD) for an FAA inspector to observe a qualifying pilot in command (PIC), during at least one flight leg of *Initial Operating Experience*(IOE), that includes a takeoff and landing. GlobalX would exercise this exemption only in accordance with the conditions the Administrator has attached to numerous similar requests.¹

Exemption Requested

GlobalX seeks an exemption from 14 CFR §121.434(c)(1)(ii), which provides (in part) as follows:

In addition, if a qualifying pilot in command is completing initial or upgrade training specified in 14 CFR §121.424, be observed in the performance of prescribed duties by an FAA inspector during at least one flight leg which includes a takeoff and a landing.

Relief Requested

This petition requests relief from 14 CFR §121.434(c)(1)(ii) in those circumstances when an FAA inspector is unavailable to observe a qualifying pilot in command during any of the scheduled operating experience flights. The requested exemption would be subject the following standard conditions and limitations:

¹ See, e.g., Southwest Airlines Co. (Exemption 7132, Docket FAA-2002-11485); Trans States Airlines, Inc. (Exemption 8154, Docket FAA-2002-12947); JetBlue Airways Corporation (Exemption 8099, Docket FAA-2003-15446); Alaska Airlines, Inc. (Exemption 8743, Docket FAA-2006-24996) and Virgin America, Inc. (Exemption 10102, Docket FAA- 2010-0631).



1. GlobalX will submit to its POI an estimate of the number of PICs completing training and a plan as to how the initial operating experience (IOE) observations are to occur. This plan would be approved by the POI prior to the initiation of IOE observations by qualified check pilot or APDs.

2. GlobalX will nominate a qualified check pilot or APD to perform this IOE observation. The FAA (POI) will approve the qualified check pilot or APD to conduct observation through a letter of authorization.

3. Under the exemption, the requirement of 14 CFR §121.434(c)(1)(ii) will be fulfilled if the observation is performed by an FAA-qualified check pilot or APD. The observation requirement will be documented in the qualifying pilot's record.

4. The qualified check pilot or APD will always be other than the one who is conducting the operating experience of the qualifying pilot.

Justification

The original intent of 14 CFR §121.434(c)(1)(ii), issued over 40 years ago, was to validate the training a pilot received in a flight simulator. Since that rule was adopted, the airline industry has had over a decade of experience with visual simulators followed by nearly two decades experience with highly advanced simulation. Domestic airlines have successfully trained thousands of pilots using sophisticated advanced simulators. The combined experience of the airline industry and the FAA, using advanced simulation, has made the present rule partially obsolete.

The FAA has the authority to observe any pilot at any time it wishes, and indeed the FAA routinely does so. However, the FAA conducts these routine observations on a schedule the local office set without the burden of having to observe a pilot on specific flights necessitated by the airline's training and service schedule. Relieving FAA inspectors from 14 CFR 121.434(c)(1)(ii) will allow the FAA to focus its efforts on higher priority safety concerns.

Costly delays in qualifying PIC for line operations results when the airline is required to wait until the FAA can observe the qualifying PIC. In some instances, the FAA inspector may not be qualified on the airplane type being flown. By allowing a GlobalX check pilot or APD who is highly qualified in the airplane, and approved by the FAA for that duty, to complete the observation, a greater level of scrutiny and objectiveness would be provided for the qualifying PIC.

GlobalX is currently in the process of expanding our passenger-carrying and Cargo aircraft fleet well into the foreseeable future. At GlobalX, we are poised for major growth in 2023/2024 - with a projected fleet growth continued thereafter in the well into future.



Grant of this exemption would:

1. Be wholly consistent with previous exemptions granted in similar circumstances.
2. Allow the FAA greater flexibility and better use of its inspector force by focusing on higher priority safety functions.
3. Allow the use of qualified pilots immediately after completing operating Experience.

Summary

GLOBALX Petition for an Exemption From 14 CFR §121.434(c)(1)(ii)

GLOBALX INC petitions for an exemption from 14 CFR § 121.434(c)(1)(ii), to permit it to substitute a qualified and authorized check pilot or aircrew program designee for an FAA inspector to observe a qualifying pilot in command who is completing initial, or upgrade training specified in Sec. 14 CFR §121.424 during at least one flight leg that includes a takeoff and a landing.

If you have any questions or if you require additional information about this request, please do not hesitate to contact me.

Warm regards

A handwritten signature in blue ink, appearing to read "Gregory Scarbriel".

Gregory Scarbriel

Chief Pilot A320 Family

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