

Aviation Group Client Update

Date: June 18, 2012

Contact: Lisa A. Harig, Partner
Washington DC Office
lharg@mklawdc.com
+1 703 247 5487

FAA ISSUES AC 120-68F, PILOT RECORDS IMPROVEMENT ACT OF 1996

On May 31st, FAA issued [Advisory Circular \(AC\) 120-68F, Pilot Records Improvement Act of 1996 \(PRIA\)](#). The AC was expanded from the previous version to address operational situations that could affect a hiring employer's records request under PRIA.

- AC 120-68F clarifies that single pilot operators are subject to PRIA. Single pilot operators should complete PRIA forms as both the air carrier representative and the pilot. For purposes of identification, in the margin of the request, single pilot operators should enter "Single Pilot Operator" in large letters.
- Employers operating under 14 CFR § 91.147 must request drug and alcohol testing records when hiring a pilot/applicant for air tour operations.
- Hiring employers are not required to comply with PRIA or have a PRIA Background Report on file if the pilot has been continuously employed by the same air carrier or air operator with no break in service since the initiation of PRIA on February 6, 1997.
- Language was added regarding records pertaining to disciplinary actions. Employers must furnish records of any disciplinary action(s) that "the employer" did not subsequently overturn, if the disciplinary action pertains to the pilot's performance. Similarly, Part 125 Air Operators must furnish records of each action taken concerning the release from employment or physical or professional disqualification of a flightcrew member that the employer did not subsequently overturn.
- With regard to PRIA checks for bought or merged companies, if a company in the process of a sale or merger and the air carrier certificate number changes, the acquiring company must complete new PRIA checks. A pilot cannot transfer his or her current PRIA file from one air carrier to another.

If you have any questions regarding PRIA compliance or the changes issued in AC **120-68F**, **please do not hesitate to contact our office.**

* * * * *

McBreen & Kopko's Aviation Group represents air carriers, fixed base operators (FBOs), airport managers, aviation service providers, and business aircraft owners and operators on a wide range of aviation issues including regulatory matters, commercial transactions, aircraft finance matters, and bankruptcy and creditors' rights.