

TO: Directors of Athletics, Conference Commissioners

FROM: Kathleen T. McNeely
Senior Vice President of Administration and Chief Financial Officer

DATE: August 14, 2018

SUBJECT: Regular Season Charter Carriers

Availability of charter aircraft for team travel continues to be an area of concern for the NCAA postseason. We are aware that schools continue to struggle for regular season travel as well. As we enter the time of year where institutions are finalizing charter contracts for the 2018-19 year, we wanted to ensure you are aware of some very important information regarding charter airlines. The attached chart provides important information about the differences between Part 121/135 requirements and the requirements for Part 125. Please share this information with the personnel who have responsibility for risk, insurance, and contracting of charter aircraft.

Any airline that operates a charter for the general public (which includes athletics teams) must hold a Part 121 or Part 135 certification per FAA regulations. The national office has been made aware of some carriers who hold a Part 125 certification bidding on, and in some cases being awarded, contracts for team travel. Apparently, some aviation consultants have advised institutions that a Part 125 certification is adequate for purposes of team travel and have recommended schools engage Part 125 certified charter aircraft for their travel requirements. In fact, there are material differences in certifications as the attached chart clearly demonstrates, and holding only a Part 125 certification, rather than a Part 121 or Part 135 creates greater risks to the passengers.

Although the NCAA cannot direct a member institution about what charter carriers they should use for regular season travel, we feel it is important for athletic departments to have full information about FAA certifications and the NCAA's championships travel policy. The NCAA does not use Part 125 carrier for any charter contracted for our events. Federal regulations are very clear that Part 125 carriers are prohibited from carrying the general public and are only allowed to carry property or people associated with the company that owns the aircraft. Part 125 carriers are regulated by the FAA differently than Part 121 and Part 135. In fact, Part 125 carriers do not have to follow the same regulations for operating requirements and financial fitness that Part 121 and Part 135 must follow.

In the end, we believe that carriers only having Part 125 certifications are specifically prohibited by FAA regulations from use for team travel. Further, we believe that there are increased risks and exposures associated with transportation by Part 125 certified carriers. We know that you place the safety of your student-athletes, coaches, and administrators as the highest priority, and it is in that spirit that the NCAA national office provides this resource information to you. We urge you to work with your insurance and risk personnel to conduct due diligence of all your transportation carriers.

If you have any questions regarding this information, or if you would like additional resource information about the topic, please feel free to contact Juanita Sheely, NCAA director of travel and insurance. She can be reached at jsheely@ncaa.org or 317-917-6425.

14 CFR part 121 vs. 14 CFR part 125

Difference	FAR part 121 Air Carrier	FAR part 125 Air Operator
(New) Part 117 flight and duty rules for passenger operations	YES	NO
Proving Runs	25 flight hours of in depth evaluation for each element of operating authority – no passengers may be aboard the aircraft during these flights	NONE
Age limit for Pilots	65	NONE
Annual Line check for Captains	YES	NO
Restriction on pilot pairings based on flight hours	YES	NO
Supervised Operating Experience of new crewmembers	YES	NO
DOT/FAA Drug Program Required	YES	NO
DOT Escrow of Customer's money prior to charter flight	YES	NO
DOT Domestic Economic Authority	YES	NO
DOT Foreign Economic Authority	YES	NO
Required Management Personnel	5	1
Federal Air Regulations operating rules	14 CFR part 91 & 121	14 CFR part 91 only
Maximum Flight Hours within 16 hours of duty	8	Not restricted up to 16
Rest Requirements based on flight time	YES	NO
FAA approved Air Carrier specific training program required	YES	NO
Check Airman observation by FAA	Initial and once each 2 years	Initial Only
Crew Resource Management Instruction Required	YES	NO
Windshear Flight Instruction Required	YES	NO
Hours of recurrent ground school required for crew	25	NONE
FAA Surveillance	HIGH	LOW
Airframe subject to Limits of Validity	YES	NO
Captain and copilot both must have aircraft type rating	YES	NO
Safety Management System	YES	NO