

# Overview of the Pilot Records Database (“PRD”) 14 C.F.R. Part 111

Aviation Law Section  
Spring CLE

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# Topics to Cover

BACKGROUND

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HOW



Image source: ChatGPT



# PRD Background - Generally

An electronic database where air carriers and other operators can report and review records to make more informed hiring decisions about a pilot's fitness for duty.

Enhance safety and efficiency by modernizing the process under PRIA

Overseen by the FAA's Aviation Data Systems Branch in Oklahoma City



# Where did we get the PRD?

Airline Safety and Federal Aviation Administration Extension Act of 2010 (the PRD Act)

Required the FAA to create the PRD to transition the FAA and aviation industry from PRIA

- PRD became effective August 9, 2021

PRD is found at 14 CFR Part 111



# PRD 14 CFR Part 111 – Structure

**Subpart A:** general applicability, definitions and instructions for database access

**Subpart B:** reviewing requirements

**Subpart C:** reporting requirements

**Subpart D:** pilot access and responsibilities



# Before PRD – PRIA Background

Pilot Records Improvement Act of 1996 (PRIA) – 49 USC § 44703

Response to series of major air carrier accidents between 1987 and 1993

Requires air carriers and some aircraft operators to request and review certain records before hiring a pilot



# PRIA Drawbacks

Requires operators to request and review records from three different sources:

1. FAA
2. Previous employers (who could charge a fee to respond)
3. National Driver Registry

Non-centralized, form-based records (Form 8060-series)

Slow process – avg. 30 days or more response time



# PRD is “PRIA 2.0”

- Creates a centralized database for sharing and reviewing records required under PRIA
- Modernizes and streamlines the process of sharing and requesting relevant pilot records
- PRD completely replaces PRIA on September 9, 2024



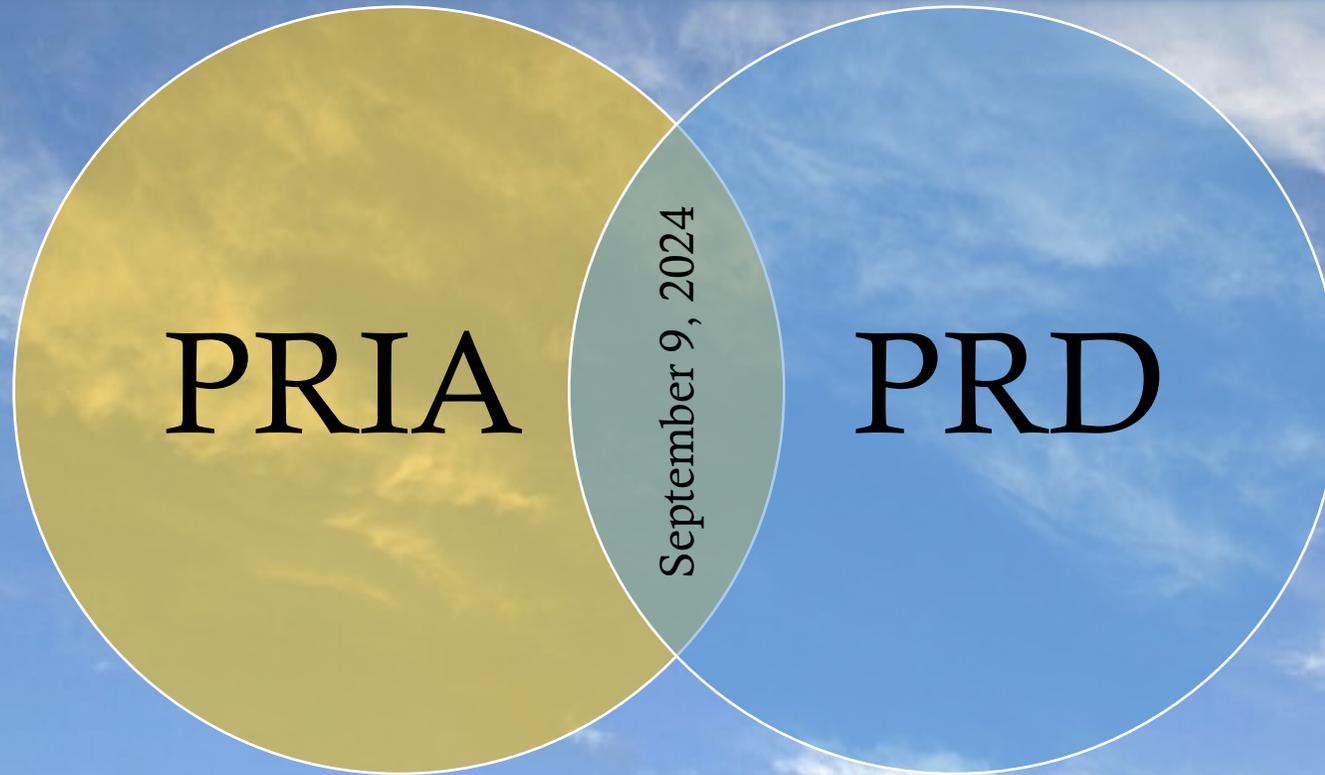
# Current Regulatory Scheme

Until PRIA sunsets in September 9, 2024, compliance with both PRIA and PRD are still required

FAA says compliance under PRD satisfies PRIA



# Overlap of PRIA & PRD



# Types of Records in PRD

## **FAA Records:**

- Current airman and medical certificates
- Notices of disapprovals
- Accidents and incidents (PIC and SIC)
- Enforcements

## **Industry Records:**

- Drug and alcohol testing
- Training, qualification and proficiency
- Final disciplinary action
- Final separation from employment



# WHY

**Why is understanding the PRD important to aviation industry professionals?**



Image source: ChatGPT



# FAA Enforcement

By September 8, 2021 (or 30 days before starting operations if new), all applicable operators are required to be registered in the PRD

FAA will be conducting audits of operators for non-compliance with PRD



# FAA Enforcement (cont.)

**FAA Notice N 8900.653** dated March 16, 2023 (\*Canceled due to error in reporting dates, new version to be reissued)

Provides the surveillance, compliance and enforcement guidance for ASI's to oversee Part 111

Note – Min of 25% of Corporate Operators are to be audited for compliance

Fines and other penalties possible for non-compliance



# WHO

## Who Must Comply With PRD?



Image source: ChatGPT



# Who Must Comply With PRD?

**Part 121** (reporting & reviewing requirements)

**Part 135** (reporting & reviewing requirements)



# Who Must Comply With PRD?

**Part 125** (reporting & reviewing requirements)

**Part 91K** (fractional) (reporting & reviewing requirements)

**Air Tour Operators § 91.147** (reporting & reviewing requirements)



# Who Must Comply With PRD?

**Public Aircraft Operators** (reporting requirement only)

**Corporate Operators** (reporting requirement only)



# Part 91 Corporate Operator Defined

Two-pronged test – 14 CFR § 111.1(b)(4):

- (1) Operate 2 or more aircraft either requiring a type rating or are turbine powered helicopters; AND
- (2) “in furtherance of or incidental to a business”
  - Note this term has not been defined yet by FAA

Also includes Part 125.3 LODA holders

Note – operating 1 aircraft is not enough – [2022 Legal Interpretation](#)



# WHAT

## What Records are Subject to PRD?



Image source: ChatGPT



# Categories of PRD Records

## 1) Drug & alcohol records

Note – does not replace the reporting requirements of 14 CFR Part 40 reporting

## 2) Training, qualification, and proficiency records

## 3) Final disciplinary action records

## 4) Records concerning separation of employment

## 5) Motor Vehicle Driving Record

Note – Not viewed in PRD, but some operators must verify these were obtained and reviewed.



# Types of PRD Records – AC 120-68J

Table 2-2. Record Reporting by Operator

	Drug and Alcohol Records in Accordance with Part 120 <sup>10</sup>	Training, Qualification and Proficiency Records <sup>11</sup>	Final Disciplinary Action Records <sup>12</sup>	Records Concerning Separation of Employment <sup>13</sup>	Verification of Motor Vehicle Driving Record Search and Evaluation <sup>14</sup>
Parts 121 and 135: § 111.200(a)(1)	Yes	Yes	Yes	Yes	Yes
Part 125: § 111.200(a)(1)	No	Yes	Yes	Yes	Yes
Part 91K: § 111.200(a)(2)	No	Yes	Yes	Yes	No
Air tour § 91.147: § 111.200(a)(3)	Yes	Yes (may be reported on request)	Yes (may be reported on request, exceptions apply, see § 111.215(b)(1))	Yes (may be reported on request, exceptions apply, see § 111.215(b)(1))	No
Operators described in § 111.1(b)(4): § 111.200(a)(4)	No	Yes (may be reported on request)	Yes (may be reported on request, exceptions apply, see § 111.215(b)(1))	Yes (may be reported on request, exceptions apply, see § 111.215(b)(1))	No
Public aircraft operators: <sup>15</sup> § 111.200(a)(5)	No	Yes (may be reported on request)	Yes (may be reported on request, exceptions apply, see § 111.215(b)(1))	Yes (may be reported on request, exceptions apply, see § 111.215(b)(1))	No
Trustee in bankruptcy: § 111.200(a)(6)	As required by operator circumstances	As required by operator circumstances	As required by operator circumstances	As required by operator circumstances	As required by operator circumstances



# PRD Scope of Records

- Generally, records indicating whether pilot is capable of flying aircraft safely
- Not just those records based on events when pilot is seated at the controls of an aircraft, include all aspects of aircraft operation ([2014 FAA Legal Interpretation](#))
- Note – operators generally have liability shielding for reporting records w/in the scope of PRD



# Non-PRD Records

- Records outside of the scope of PRIA/PRD:
  - Attendance, company dress codes, and other morality or behavior-based policies
- Operator potentially liable if information beyond the scope of PRD is disclosed
- Defamation, negligent misrepresentation, and tortious interference with contract claims have been brought by pilots when operators report such records. [2014 Legal Interpretation.](#)



# Limits on Use of PRD Records

- Kept confidential to protect pilot's right of privacy
- Used only for considering pilot for hire
- Viewed only by folks involved in the hiring process



# Nature of Records to be Reported

## **Varies by Operation:**

- (i.e., Part 121, Part 91, etc.)
- See Appendices in AC 120-68J for specifics

## **Varies by Age of Records:**

- Historical Records vs. Current Records



# Historical Records vs. Current Records

## Historical Records:

- Records dated on or between August 1, 2005 – June 9, 2022

## Current Records:

- Records dated on or after June 10, 2022

Note – Records older than August 1, 2005 are not subject to PRD



# WHEN

## When to Report Records Subject to PRD?



Image source: ChatGPT



# Reporting Timeline – AC 120-68J

**Table 2-1. PRD Overview of Record Reporting by Population**

<b>Records Required to be Entered into the PRD</b>	<b>Record Documentation Date</b>	<b>Part 121 and 135 Air Carriers</b>	<b>Parts 121, 125, and 135 Operators and Part 91K Fractional Ownerships</b>	<b>Corporate Operators, Air Tour Operators Under § 91.147, and Public Aircraft Operations</b>
<b>Historical Records</b>	Records predating 8/1/2005	N/A	N/A	N/A
<b>Historical Records</b>	Records dating from 8/1/2005 through 7/31/2010	Must Report <sup>2</sup>	N/A	N/A
<b>Historical Records</b>	Records dating from 8/1/2010 through 1 year after publication of part 111	Must Report <sup>3</sup>	Must Report <sup>4</sup>	Voluntary Reporting
<b>New Records</b>	Records created 1 year after publication of part 111	Must Report <sup>5</sup>	Must Report <sup>6</sup>	Must Report <sup>7</sup>



# Historical Records – Reporting Timeline

**Part 121 & Part 135:** August 1, 2005 – June 10, 2022  
**Part 125 & Part 91K:** August 1, 2010 – June 10, 2022

**Start Date** – Must begin reporting historical records on June 10, 2022

**End Date** – Phased Reporting Deadline:

- On or after January 1, 2015: **June 12, 2023**
- Before January 1, 2015: **September 9, 2024**

A current PRD request makes the records due now  
Different rules for “PAC” Operators



# “PAC” Operator Group - Defined

Public Aircraft Operators;

Air Tour Operators § 91.147; and

Corporate Operators.

Note - Reporting Historical Records is voluntary for PAC Operators



# Current Records – Reporting Timeline

**Parts 121, 135, 125, and 91K:** report Current Records w/in 30 days of creation/becoming final

**PAC Operators:** Have 2 options for reporting Current Records



# Reporting Current Records – PAC Operators

**Option 1:** Report to PRD w/in 30 days of creation like everyone else; OR

**Option 2:** Maintain records for 5 years and report w/in 14 days of a request

\*Exception



# PAC Operators (cont.) - Exception

If record is either of the following:

- a) disciplinary records RE removal from aircraft operations; OR
- b) separation of employment resulting in termination

PAC Operator **must report w/in 30 days** – they cannot hold onto those records.



# HOW

## How to Review and Report Records in PRD?



Image source: ChatGPT



# Reporting Records

- Until PRIA sunsets September 9, 2024:
  - can still respond to requests under PRIA process; OR
  - can respond to PRIA request by uploading into PRD (satisfies PRIA)
- PRD requests must be responded to in PRD
- Once PRIA sunsets, only use PRD process
- Practical note – operators will have to report records into PRD anyway, so might as well do so in response to PRIA request



# How to Register in PRD

## Step 1: Create a “My Access” Account

- Used by the FAA to log into several different websites, not just PRD;
- Operators only need one My Access account regardless of use;
- Requires IR verification during account creation;

## Step 2: Register with PRD

- Start at [prd.faa.gov](http://prd.faa.gov);
  - Access varies based on assigned user roles (i.e., Responsible Person, Proxy, User Manager, etc.)
- 
- Reminder – each operator must register in PRD by September 8, 2021, or at least 30 days before beginning operations



# Receiving & Responding to Record Requests

Until PRIA sunsets, may still receive and respond to requests in the mail under PRIA (Form 8060-11/11A);

Under PRD:

- Operator will receive daily email summary when records have been requested; OR
- See pending requests in Inbox under Tools link
- Respond to request w/in 14 days



# Working with PRD Records - Generally

## **Pilots:**

- Add/update employment history (last 5 years)
- Review records to ensure accuracy
- Grant “consent” for operators to view records

## **Operators:**

- Search for pilots by certificate # / name
- Review PRD Airman Record (“PAR”)
- May still have to use PRIA methods to request records until PRIA sunsets in September 2024



# Obtaining Consent

- Pilot must grant an operator consent in PRD before operator may view a pilot's PAR
- Consent is a “snapshot” in time – later added records require fresh consent to view in PRD



# Supporting Documents

- An operator may also request certain supporting documents, if applicable, related to a reporting event.
- Seen under the “Action” tab in PRD
- If Supporting Documents are requested, there is no way to enter those in PRD, instead they are provided via email or mail to the requesting party



# Creating Records

- PRD does not require operator to create a record where one does not already exist.
- If no records exist, Operator must give statement to that effect.
- Non-PRD reasons for maintaining minimum records – employment law & civil liability perspective



# Errors & Dispute Resolution

If an airman or an operator notices an error in a record, edits to the record must occur within 10 days of knowledge of error.

- Note – because PRD is not the authoritative source of the record and only displays key information from the original records (i.e., the PAR), pilots should have corrections made in original records, not the PRD.

Dispute Resolution Process – each operator must have a documented process for timely resolving disputes regarding errors in PRD records.

PRD is a live system – records uploaded to PRD **cannot be deleted**, only edited or suppressed (Mother-in-Law Rule)



# Key Takeaways

- Operators subject to Part 111 must register for a PRD account;
- Some operators must review PRD records before hiring a pilot;
- All operators must report and/or maintain records required under PRD; and
- Compliance is mandatory – FAA is conducting audits for non-compliance.



# Resources & Reference Materials

- [PRD Webpage](#)
- [49 U.S.C. § 44703\(i\)](#)
- [14 CFR Part 111](#)
- [AC 120-68J](#)
- [Notice 8900.653 \(canceled\)](#)
- [FAA Interpretations / Chief Counsel's Opinions](#)



# Questions?



# Thanks for Listening!

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