

## **Allied Pilots Association opposes changes to “Age 60” Rule**

Background: Section 121.383(c) of the Federal Aviation Regulations prohibits “...any person from serving as a pilot on an airplane engaged in operations under Part 121 if that person has reached his/her 60<sup>th</sup> birthday.” The FAA adopted the Age 60 Rule in 1959.

Over the past 40 plus years, the Age 60 Rule has come under frequent attack. Most of these attacks have been from organizations that claim they represent “rank and file” pilots. Recently, Senator James Inhofe (R-OK) successfully attached S.959, “Changing Age 60,” to the FAA Reauthorization bill. The bill has been referred to the Committee on Commerce, Science and Transportation. A mirror version of the bill, H.R. 1063, has also been referred to the House Subcommittee on Aviation.

**APA Position:** The APA, along with the Air Line Pilots Association (ALPA), opposes this bill and has opposed any changes to the Age 60 Rule since its inception.

Medical Fundamentals. The medical underpinnings of the Age 60 Rule are indisputable. First, the risks of incapacitation and decrements in performance increase with age. Second, medical science has yet to develop a regimen of reliable tests that can identify older pilots who are, or might become, incapacitated or whose performance will decline below an acceptable level.

Challenges to the Age 60 Rule. This ruling has been challenged at the FAA, in circuit court and at the U.S. Supreme Court; all challenges have failed. The FAA has stated repeatedly that any change to the Age 60 Rule must maintain or raise the current level of safety.

Membership Support. In the last survey on the Age 60 Rule, a substantial majority (83 percent) of APA’s members responding indicated they support the status quo.

**Opposing Position.** The key opposing argument is fourfold: (1) the rule violates age discrimination laws; (2) 60 is an arbitrary number; (3) flying qualifications should be based on competency and health; and (4) shortage of pilots.

**Bottom Line.** The Age 60 Rule has worked effectively for more than 40 years. It was not established to enhance pilot careers by allowing them to move up the seniority ladder faster, nor should it be changed to allow a small group of pilots to fly longer to meet their financial goals. The Age 60 Rule makes sense and is in place to protect America’s flying public.