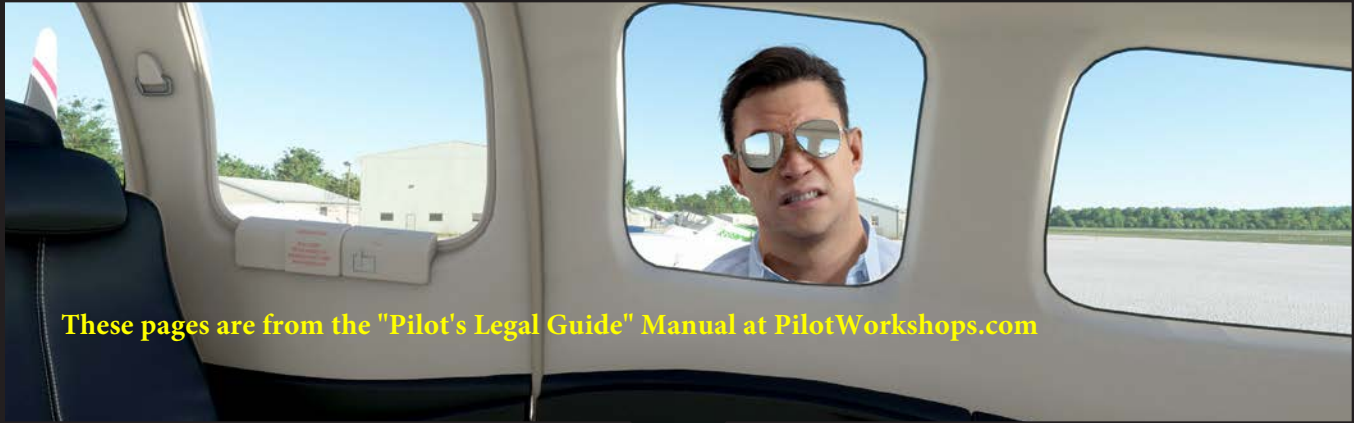


# Ramp Inspections and Repercussions



These pages are from the "Pilot's Legal Guide" Manual at PilotWorkshops.com

**Ramp inspections are a normal part of FAA surveillance. Yeah, "surveillance" sounds sinister, like there are Feds in a white van outside your house, but it's no different from any other compliance monitoring. You can play the odds and hope it never happens or you can use the possibility as incentive to make sure your aircraft house is in order.**

- There's a playbook that the Feds follow and it's no secret. It's a part of FAA Order 8900.1 and it's pretty straightforward.
- The Feds (inspectors) can't open or board your aircraft without consent, but they can observe it on the ramp and look in the windows.
- Ramp inspections can happen because of observed or reported unsafe conditions, or as a part of more general surveillance.
- Inspections (and the individual Feds who perform them) come in two general flavors: **operational** and **airworthiness**.
- The results of the inspection can be anything from a compliment and a handshake to a tag with bad things written on it that effectively grounds the aircraft.
- Special flight permits ("ferry permits") can help you get the aircraft from the ramp where the inspection happened to another place where you can address discrepancies.

- Feds sometimes get things wrong, including discrepancies. However, think long and hard before operating an aircraft that a Fed has tagged without addressing the discrepancies.
- Don't pencil-whip records or lie to the federal government. Just don't.
- Nobody likes meeting the friendly Fed on the ramp but understand that the Fed is performing a duty that really does make aviation safer.

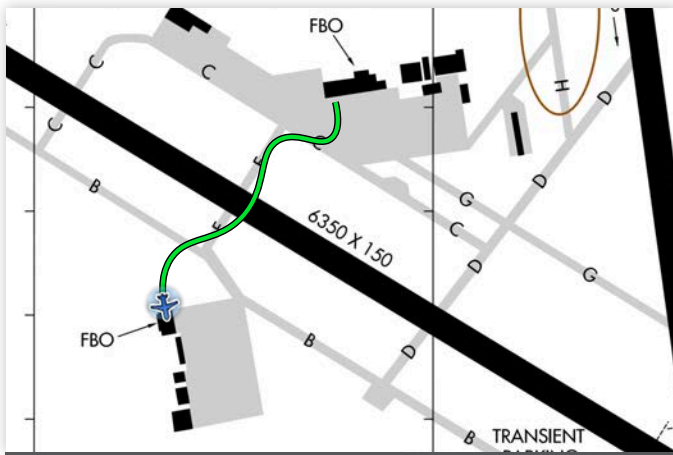
## What did I do to deserve a ramp inspection?

Feds perform ramp inspections (a.k.a. "ramp checks") for many reasons. They include observation of an unsafe operation in the traffic pattern or on the ramp, a report from ATC of an unsafe operation, and observation of an obvious discrepancy that might affect the airworthiness of an aircraft.

An inspection might also result from routine surveillance activities. That might include circumstances where you or the aircraft have developed a reputation with the Flight Standards District Office (FSDO) through reports, complaints, or other indications that it might be a good idea to look in on you or the aircraft. There are even a few random inspections, but they are few and far between.

## What happens in an operational inspection?

Operational inspections are mostly about the pilot and the operation that's being conducted. Under **Part 91**, it's mostly about the pilot. The inspector must have their FAA credentials and present them to you.



*Step one in avoiding an inspection is not engaging in behavior that invites an inspection.*

Most likely, the inspector will kick off the conversation with the credentials.

You'll likely be asked who's flying (or who flew) and be asked for the documents that you've known since your private checkride that you're supposed to have on you, namely your airman certificate(s), your government-issued photo ID, your medical (if applicable), and any other required pilot documents.

The inspector might ask for the pilot's logbook to verify that the pilot is current for the operations performed or to be performed, mainly the takeoffs and landings, instrument approaches, and similar matters. Other than student pilots, sport pilots, and certain recreational pilots, you don't have to have your logbook physically with you, but you might be asked to follow up with the Fed to provide logbook entries showing the required currency. Likewise, if you're flying on BasicMed, you don't have to carry your BasicMed documents with you, but you should

*FAA Order 8900.1 is a treasure trove of information about the Feds and how they work. You'll find FAA guidance and job aids for nearly every function that a Fed might perform, from conducting an inspection to granting a waiver for an airshow. In the rare event that you need to push back against "well, my guidance says ...", 8900.1 can help you and the Fed get (literally) on the same page. The FAA's Dynamic Regulatory System (where 8900.1 lives) can be difficult to navigate, but rewarding to those who browse it. Do not operate heavy machinery when reading 8900.1 until you know how fast it puts you to sleep.*

## RAMP INSPECTION

According to the FAA guidance, "a ramp inspection is defined as surveillance of an airman, operator, air agency, or aircraft, which may include conducting maintenance record inspections ... sufficient to show compliance with [the regulations] during actual operations at an airport or heliport."

Generally speaking, there are *operational* ramp inspections and *airworthiness* ramp inspections. And the standard (or the way of going about either or both types) is divided up according to the kinds of operations involved (**Parts 91, 121, 125, 135**, etc.). This chapter will assume a **Part 91** ramp inspection, the kind that you're most likely to encounter as a GA driver.

**Part 91** inspections are covered in **FAA Order 8900.1, Vol. 6, Ch. 1, Sec. 4**.

be prepared to provide them if asked. You can usually print out a wallet card showing completion of the online training if you want to have something easy on your person. All that said, never lie and say you don't have something with you if you actually do.

Also know the inspector probably won't be able to complete the whole job-aid checklist, and that usually works in your favor.

### What happens in an airworthiness inspection?

Remember ARROW from your private pilot study sessions? Be prepared to show all of that stuff (although you'll only need the second "R" if you fly out-

**TIP** It's a myth that an inspector can confiscate your certificate, or that handing it to them to look at it equals surrendering it.

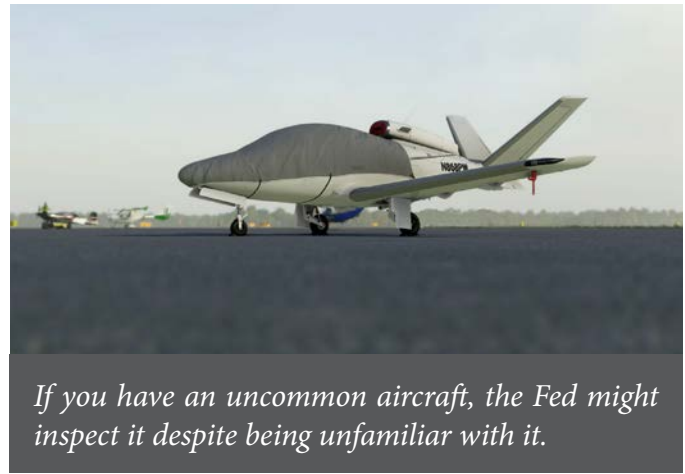
side the U.S.). If you have any special circumstances, such as a copy of the **FAA Form AC 8050-1** instead of the regular registration because you recently purchased the aircraft, you'll need to be able to produce those documents.

Other materials that most pilots don't think much about can cause headaches. Most GA airplanes flying today have FAA-required Airplane Flight Manuals (AFMs) or Pilot's Operating Handbooks (POHs), which must be aboard the aircraft and accessible by the pilot. Digital versions of those documents ought to be fine as long as they're immediately accessible in flight (e.g., on an iPad, not on a USB thumb drive). But the documents must be the officially required documents. A mere manufacturer's owner's guide, paper, digital, or otherwise, that doesn't meet those requirements won't cut the mustard.

It's fair game for an inspector to ask about airworthiness directives (ADs), life-limited parts, and similar matters that you probably can't answer without the aircraft logbooks. You're unlikely to have those handy, so the inspector might ask you to provide that information after the actual ramp inspection.



*Many upgrades and modifications (usually under the STC or 337 process) require the addition of supplementary information to the AFM/POH. Have you added a couple of G5s and a GNC 355 to your trusty Tomahawk? Have you installed aftermarket extended-range fuel tanks? The relevant supplements must be accessible in the cockpit so that you can refer to them in flight if necessary.*



*If you have an uncommon aircraft, the Fed might inspect it despite being unfamiliar with it.*

Be prepared to explain any non-obvious things about an uncommon aircraft. For example, many inspectors aren't familiar with gap-seal tape use on many gliders, especially self-launch gliders. It's fun, but not advisable, to yell "Hey! Don't mess with that tape. It's the only thing holding the wing on!"

Are you likely to walk back out onto the ramp after lunch to find a Fed sticking halfway into your baggage door? Nope. The FAA guidance specifically says that "[a]n inspector must not open or board any aircraft without the knowledge and consent of the crew or owner/operator." But the Fed is probably fine observing the aircraft on the ramp and can probably look in the windows.

### **Do I have to submit to a ramp inspection?**

Yes and no.

It's pretty clear that the Feds have the authority to inspect anything about a pilot or aircraft: **61.3(1)** requires that "[e]ach person who holds an airman certificate, [temporary certificate], medical certificate, documents establishing alternative medical qualification [like BasicMed or sport pilot privileges], authorization, or license required by [Part 91] must present it and their [government-issued] photo identification for inspection upon a request" by Feds and some other personnel.

Additionally, **49 USC § 44709(a)(1)** says that the FAA "may reinspect at any time a civil aircraft, aircraft engine, propeller, appliance, design organization, production certificate holder, air navigation facility, or air agency, or reexamine an airman holding a certificate ..."

The practical issue becomes not *whether*, but *when* and *how*. There's little guidance on this, but here are some pretty good guesses.

“Upon request” means you probably have to cough up the certificates and documents covered by **61.3(I)** right then and there. If there’s a painfully obvious problem with the aircraft that’s visible from the ramp (e.g., the fully-functional LAU-59/A Mighty Mouse rocket pod on your Cessna 337/O-2A), you’re probably going to have to deal with that issue right then and there as well.

As to the rest, **FAA Order 8900.1, Vol. 6, Ch. 1, Sec. 6-89(B)(1)** provides that “[a]n inspector must not open or board any aircraft without the knowledge and consent of the crew or owner/operator” and **(2)** says that “[i]f the surveillance will delay a flight, the inspector should use prudent judgment whether or not to continue an inspection that may affect an operator’s busy schedule.” If the documents are inside the aircraft and not readily visible by looking in the windows, and if it would delay a flight to continue the inspection, you have a good basis to tell the Fed that you’d be inconvenienced to continue the inspection beyond the pilot’s certificates and documents.

The best answer if you don’t want to cough up the other documents or allow the Fed more access right then and there is to tell the Fed that you’ll be happy to provide additional documentation, but that you’d prefer to do so at another time. You might even ask the Fed to provide a written request (such as by e-mail) so that you can be sure to provide everything that the Fed needs to see.

Regardless of how you complete the right-then-and-there phase, however, there’s little or nothing

that you can do to avoid an inspector eventually getting the rest of the information and conducting a full inspection.

Moving to a slightly darker place, there are stories of law enforcement asking FAA inspectors to obtain information or access under the guise of a ramp inspection and the stories might even be true. Why would they do that? Such non-FAA agencies might want (with or without good reason) to search you and/or your aircraft, but they don’t have enough probable cause to do it right then or to obtain a warrant. If the Fed can get their noses into your tent, that would make that other agency’s job a lot easier.

If you get the sense that there’s this kind of skullduggery afoot, you could respectfully (a) reiterate to the Fed that you don’t intend to allow the Fed to board the aircraft and that further inspection would delay your flight and (b) if that doesn’t work, say out loud that “I don’t consent to searches” and that “I don’t want to answer any more questions” (and keep saying it if the Fed tries to talk you into a search or keeps asking questions—refusal to consent to a search or to answer questions does not give rise to probable cause to search or detain you). Tell the Fed that you’ll gladly comply with a warrant or a subpoena if the Fed has one.

This latter approach pushes things into a new and (more openly) adversarial phase, and it might be a good idea to call your lawyer at that point. You might also want to be in a position to leave your aircraft there on the ramp and not open any doors until



*Feds often conduct inspections at aviation events like glider competitions or airshows (ask any performer). However, the guidance prohibits bothering a performer or competitor during the “sacred 60 minutes” immediately before a performance or race sortie. This means no inspector can ruin your enjoyment of Mike Goulian with his earbuds in, doing his acro dance on the ramp, right before he melts your face in the box. You get the same grace before your time in your glider, but it won’t prevent an inspection after you’ve landed.*

you figure out what the skullduggery is all about. Remember that the Fourth and Fifth Amendments to the U.S. Constitution don't end at the ramp.

Caveat: Your level of civil rights is substantially lower when entering the United States from another country. Customs and Border Protection (CBP) can search just about anything it wants to search when you first arrive in (or back in) the United States. If you've ever taxied into that painted circle at the other end of the ramp on your way back from Toronto with a load of toques and back bacon, you know.

### Who carries out the inspection?

Generally, Feds are divided up into *operational aviation safety* inspectors and *airworthiness aviation safety* inspectors. They have the kinds of experience and training that you'd expect in each of those disciplines.

However, an inspector can inspect items in the

other discipline (e.g., an operations inspector can inspect airworthiness items and vice versa). This makes sense: An operations inspector can certainly figure out whether an airworthiness certificate looks valid, and a maintenance inspector can certainly identify an airman certificate for a pilot. But the guidance says that an inspector identifying a discrepancy that's out of their wheelhouse is required to check with an appropriate inspector at the FSDO with jurisdiction for that location.

### What are the potential outcomes of a ramp inspection?

There are several. The one you want is where there are no discrepancies and the guidance tells the Fed to "compliment the pilot or operator," which is actually pretty nice.

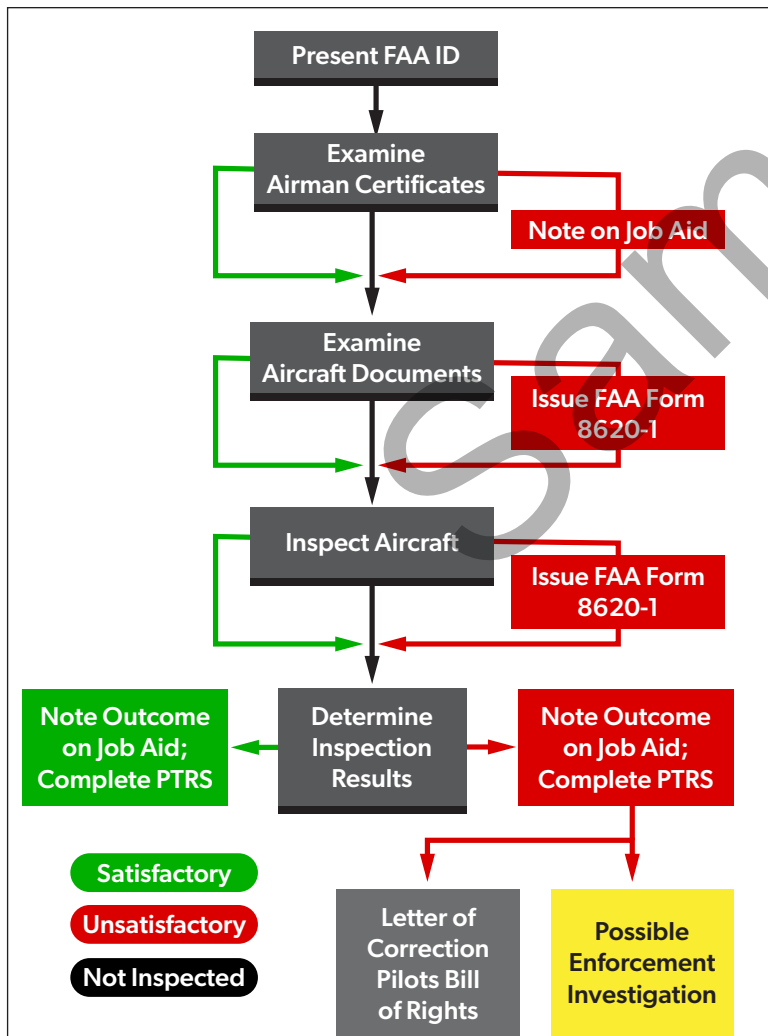
The other options are less savory, and they vary in unsavoriness.

If an inspector discovers a discrepancy (operational or airworthiness), the inspector is supposed to note the discrepancy on their job aid in the remarks section. The inspector is supposed to inform the operator that operating the aircraft without correcting the discrepancy might result in a violation of the regulations.

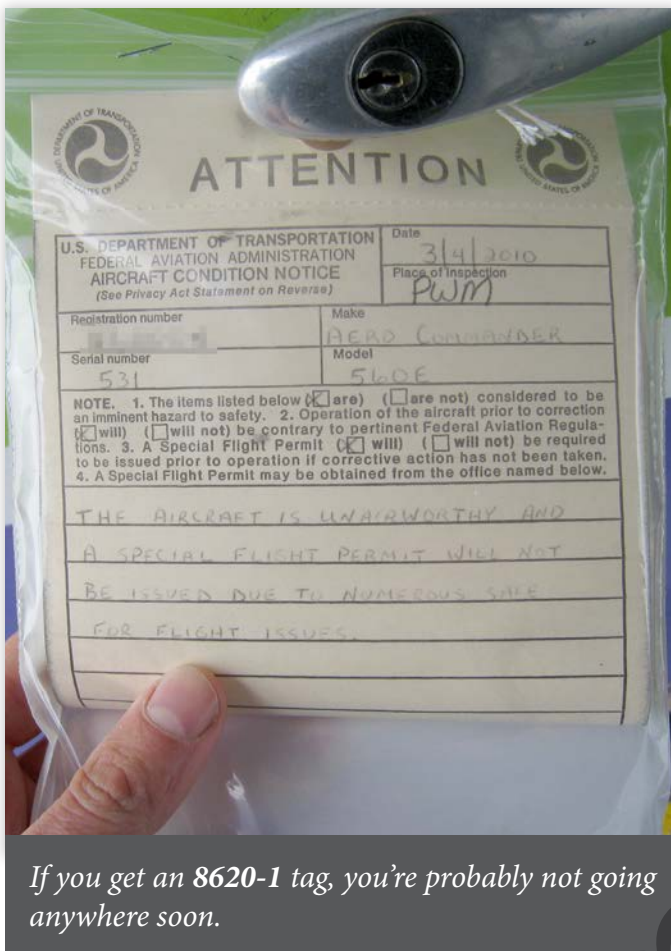
There's also **FAA Form 8620-1**, which is formatted as a "Hang Tag (of Shame)" that the inspector might either hand to you or hang on the aircraft. There are check-boxes on the form for (1) whether the listed item(s) are an immediate hazard to safety, (2) whether operation with the listed item(s) will be contrary to the regs, and (3) whether a special flight permit (often called a "ferry permit") will be required prior to operation if corrective action is not taken.

### What are my options if I get the Hang Tag of Shame?

If you get an **8620-1** tag, it's probably best not to operate the aircraft. The tag doesn't officially ground the aircraft, but, if the item(s) stated on it are valid, that's a great basis upon which the FAA could pursue an enforcement action, potentially including the ever-popular allegation of careless or reckless operation in **91.13**. And, if you fly your 172 with an odd number of wings, you probably deserve it.



8900.1 contains a handy inspection flowchart—that you'll hopefully never need to reference. The PTRS is essentially the report.



*If you get an 8620-1 tag, you're probably not going anywhere soon.*

If you have a means of addressing the discrepancy right there on the ramp (or at least on the airfield), that's another option. It could be as simple as having your buddy grab that missing registration certificate that you left on the chair at your hangar and bringing it to you so you have it in the aircraft. Or it could be as complicated as shopping for a Part 145 repair station right there at the field where you can remedy that odd-number-of-wings issue.

There is an intermediate step. If the issue is a thing that technically makes the aircraft unairworthy but doesn't make the aircraft unsafe to fly (or you can render the aircraft not unsafe to fly with less than a full fix), you could apply for, and receive, a special flight permit, a.k.a. "ferry permit." Special flight permits are issued by the FSDO that's responsible for the geographic area where the aircraft will be operated. If a ferry flight will cross FSDO boundaries, you work with the FSDO within which the flight will originate.

Remember that the **8620-1** is a triplicate form and you're only getting one copy. The other two make their ways into the FAA document mill and will likely be there if the FAA decides to see if there's a pattern of problems with that tail number.

## Not All Feds are Friendly

The vast, overwhelming majority of inspectors are safety-conscious, reasonable, and objective practitioners of their art. They help keep airplanes out of suburban living rooms and that's generally a good thing. But you don't get to choose who meets you on the ramp. Sometimes you draw the short straw.

It's true that some inspectors breathe fire over compass cards, specific placards, and obscure ADs. There's little that you can do about that. If you have a genuine objection to discrepancies identified during the inspection, it's okay to discuss those objections. After all, you likely know your aircraft better than the inspector.

If you can negotiate something short of an **8620-1** with one of the bad boxes checked, that's a reasonable result. It's a good idea to address the items raised by the Fed, especially in the aircraft logbooks if they're things that bear on airworthiness. This is true even if the discrepancy is invalid, in which case a solidly documented writeup of how and why the discrepancy is invalid is a great idea. That way, if you find yourself in that situation again, you look (and are) safety and compliance minded, having directly addressed, and documented, the issues raised.

If you get an **8620-1** with one of the bad boxes checked that doesn't necessarily mean that the Fed was right or that the aircraft is noncompliant. Inspectors get things wrong, too. That AD he was so excited about might not apply to your engine or airframe. But it's better to get it addressed on the ground rather than fly away confident that you're right, because it might take some time in front of an Administrative Law Judge or worse to get to that ultimate victory.

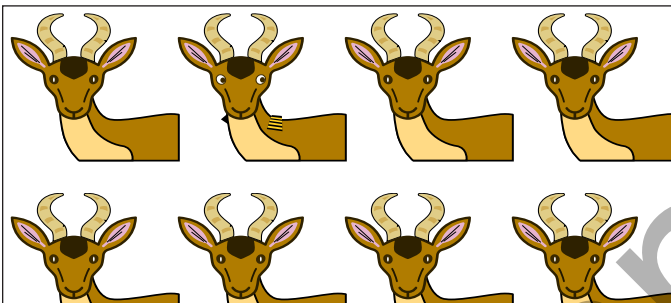
### How much pencil-whipping can I do in response?

None. Wave off! Go around! **61.59** forbids falsification of the kinds of records that we've been discussing. Running afoul of those prohibitions "is a basis for suspending or revoking any airman certificate, rating, or authorization" held by the runner-afouler. Lying to the federal government can also be a violation of **18 USC § 1001**, which could result in fines, as

## Getting a Special Flight Permit

You apply for the special flight permit using the FAA's online system. The FAA then determines whether the aircraft is in a condition for safe operation notwithstanding the discrepancy that makes it technically unairworthy. If it gives the thumbs-up, you get paper that allows you to operate the aircraft to reposition it to a place at which you can fully fix the discrepancy.

The FAA might require a note or a letter from an A&P to support the not-unsafe assertion, or something similar. In any case, it's likely a multi-day process and you're unlikely to make any progress on a weekend day (these things always seem to happen on a weekend), so you might be in the market for hangar space or a tiedown for the near future.



*If you're the smart antelope, the chances are pretty good that the inspectors will focus elsewhere.*

well as room and board at a federal facility for up to five years. Just don't.

## How likely am I to be subject to a ramp inspection?

Not very likely, provided that you behave like a smart antelope. The smart antelope is the uninjured, well-behaved antelope in the middle of the herd. The not-smart antelope is the one who's limping around, hanging out at the edge of the herd, and thumping (hoofing?) its nose at the predators over there in the grass near the watering hole. The average predator doesn't need to eat the herd. The predator only needs one antelope at a time—and guess which antelope is going to be most interesting to the predator.

It's not this simple, but it's pretty close to this simple. Feds are predators but have a job to do and there a limited supply of inspectors to walk around inspecting stuff. They allocate their attention to the most potentially harmful stuff first.

Many pilots go their entire careers without ever being the subject of a ramp inspection. Here's hoping that you land in that category. There's every chance that you do. But now you're ready, having understood the FAA guidance, conducted your own mock inspections, and kept yourself and your aircraft as compliant as you know how.

## Be Your Own Aviation Safety Inspector

The best remedy to a ramp inspection is having all of your poop in a group to begin with. It's worth sitting down in the hangar a couple of times a year and going through the log-books and stuff in the aircraft to ensure everything is up-to-date and where it's supposed to be. After all, you're hanging out at the airport and not in the office or doing yard work. What's not to like? It's kind of fun to pretend you're a Fed and do a mock ramp inspection yourself. Making a little lanyard tag and spouting spicy dialogue in a movie-villain accent is optional.

This is an especially good idea if you fly a club aircraft. If you're an embittered economics under-



grad, you know all about the "tragedy of the commons" (where any shared resource gets overused and abused because overuse benefits an individual in the moment but the negatives are diluted when everyone suffers the consequences equally). That's unless you're the one who has the club plane when it's ramped. Then you suffer alone.

The degree to which pilots pay attention to airworthiness issues and documents is inversely proportional to the square of the number of pilots who fly the aircraft. Take it upon yourself to do your own inspection. Just don't do such a good job that the other pilots make you the maintenance officer.