



When should I take corrective action as a flight instructor/evaluator?

This question has been around since pilots have been flying airplanes. When considered and approached logically, one will come to the same conclusion that the Federal Aviation Administration (FAA) has reached; and Civil Air Patrol (CAP) guidance is in line with that of the FAA.

Basically, CAP expects and demands that its aviators, flight instructors and evaluators (Check Pilots and Check Pilot Examiners) exercise sound airmanship and judgment. If you see something developing toward a hazardous situation in your capacity as an instructor or evaluator, CAP expects you to take direct action to prevent the situation from reaching an unsafe point. In [FAA Order 8900.2B, ch7, sec 2, para 6](#), the FAA states, **“Under no circumstances may a designee intentionally allow an applicant to violate a regulation, fail to comply with an air traffic control (ATC) clearance, or create a potentially hazardous situation.”** This means that a flight instructor/evaluator has the right and duty to direct the PIC being instructed or evaluated to take preventative action to avoid a potentially hazardous situation, as well as the right and duty to take command and control of the aircraft at any point deemed necessary to avoid, or get out of, a hazardous situation. The instructor/evaluator must maintain command of the aircraft and the flight controls until the situation is resolved and it is safe to return command and the flight controls to the pilot being instructed or evaluated.

For CAP flight evaluations, as with the FAA, CAP expects that the pilot being evaluated will be identified as the Pilot In Command (PIC) on all documentation and to perform duties of the PIC throughout all phases of planning, pre-flight, flying and post-flight activities, to include all PIC-related WMIRS actions. However, this PIC status has no bearing on the evaluator’s duties and responsibility to take appropriate corrective action, to include taking command of the aircraft and the flight controls from the PIC when deemed necessary to prevent, or recover from, a hazardous situation in the aircraft. When taking or receiving the flight controls for any reason, pilots should use the standard FAA terminology and procedures for “positive transfer of controls” to avoid confusion.

Positive Transfer of Controls (FAA): During flight training, there must always be a clear understanding between the student/evaluatee and flight instructor/evaluator of who has control of the aircraft. Prior to any dual training flight, a briefing should be conducted that includes the procedure for the exchange of flight controls. The following three-step process for the exchange of flight controls is highly recommended.

When a flight instructor/evaluator wishes the student to take control of the aircraft, he/she should say to the student, **“You have the flight controls.”** The student should acknowledge immediately by saying, **“I have the flight controls.”** The flight instructor/evaluator confirms by again saying, **“You have the flight controls.”** Part of the procedure should be **a visual check to ensure that the other person actually has the flight controls**. When returning the controls to the flight instructor, the student should follow the same procedure the instructor/evaluator used when giving control to the student. The student should stay on the controls until the instructor/evaluator says: **“I have the flight controls.”** There should never be any doubt as to who is flying the airplane at any one time. Numerous accidents have occurred due to a lack of communication or misunderstanding as to who actually had control of the aircraft, particularly between students and flight instructors. Establishing the above procedure during initial training will ensure the formation of a very beneficial habit pattern. Reference: [FAA-H-8083-3A, Airplane Flying Handbook, page 1-6](#).