

## Civil Aviation Directorate

Malta Transport Centre, Triq Pantar, Hal Lija, LJA 2021 Malta Tel: +356 2555 5000 Fax: +356 21239278 [info.tm@transport.gov.mt](mailto:info.tm@transport.gov.mt) [www.transport.gov.mt](http://www.transport.gov.mt)

## Regulatory Instrument issued in terms of Article 5 of the Air Navigation Act, Chapter 641 of the Laws of Malta

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| <b>Instrument No.:</b>           | <b>007/2024</b>   |
| <b>Title</b>                     | <b>Alcohol Testing of Aircraft Flight and Cabin Crews</b> |
| <b>Date of Entry into Force:</b> | <b>July 2024</b>  |
| <b>Version:</b>                  | <b>1</b>  |

### Introduction

Article 49(4) of the Air Navigation Act requires that the Civil Aviation Directorate issues regulatory instruments which provide procedures and the type of device utilised for the conduct of alcohol testing of crews by the Transport Malta Civil Aviation Directorate.

Article 49(5) stipulates that alcohol tests shall be conducted pursuant to EU Regulation requirements and any Regulatory Instrument.

Alcohol testing shall be conducted during ramp inspections of aircraft.

### EU Regulation

Alcohol testing during ramp inspections falls under Regulation (EU) No 965/2012 Part-ARO.RAMP. This is applicable to aircraft operated by Maltese operators (SANA), aircraft operated by Community carriers and operators (SACA) as well as third country operated aircraft (SAFA).

### Inspectors Conducting Alcohol Testing

Inspectors are properly trained and authorised by TM CAD to conduct alcohol tests in accordance with the approved procedures and practices.

### Device used for Alcohol Testing

The breathalyzers used by TM CAD are the Draeger Alcotest 6000. They conform to Standard MSA EN 15964 and they are:

- portable;
- handheld; and
- designed for professional use.

The Draeger 6000 directly measures blood alcohol content or concentration (BAC) and the measuring unit has been set at mg/L.

## Accuracy of Reading

The maximum permissible error is  $\pm 0.02$  mg/L for alcohol concentrations up to and including 0.20 mg/L expressed in milligrams of ethanol per litre of exhaled volume.

The maximum permissible error is  $\pm 10$  % of nominal concentration for alcohol concentration above 0.20 mg/L expressed in milligrams of ethanol per litre of exhaled volume.

The devices are routinely maintained and calibrated to ensure specifications are kept within limits.

## Procedures for Alcohol Testing

Procedures for alcohol testing are found in the TM CAD Ramp Inspections Manual document reference TM-CAD-RAMP (as amended). These procedures are based on the requirements of Part-ARO.RAMP and their Accepted Means of Compliance / Guidance Material issued by EASA.

The tests are carried out in a place where PRIVACY, CONFIDENTIALITY AND HYGIENE are ensured.

A test result is considered negative when the breath alcohol concentration (BrAC), measured by a breath alcohol tester is lower or equal to the equivalent level of 0.2 grams of blood alcohol concentration (BAC) per liter of blood.

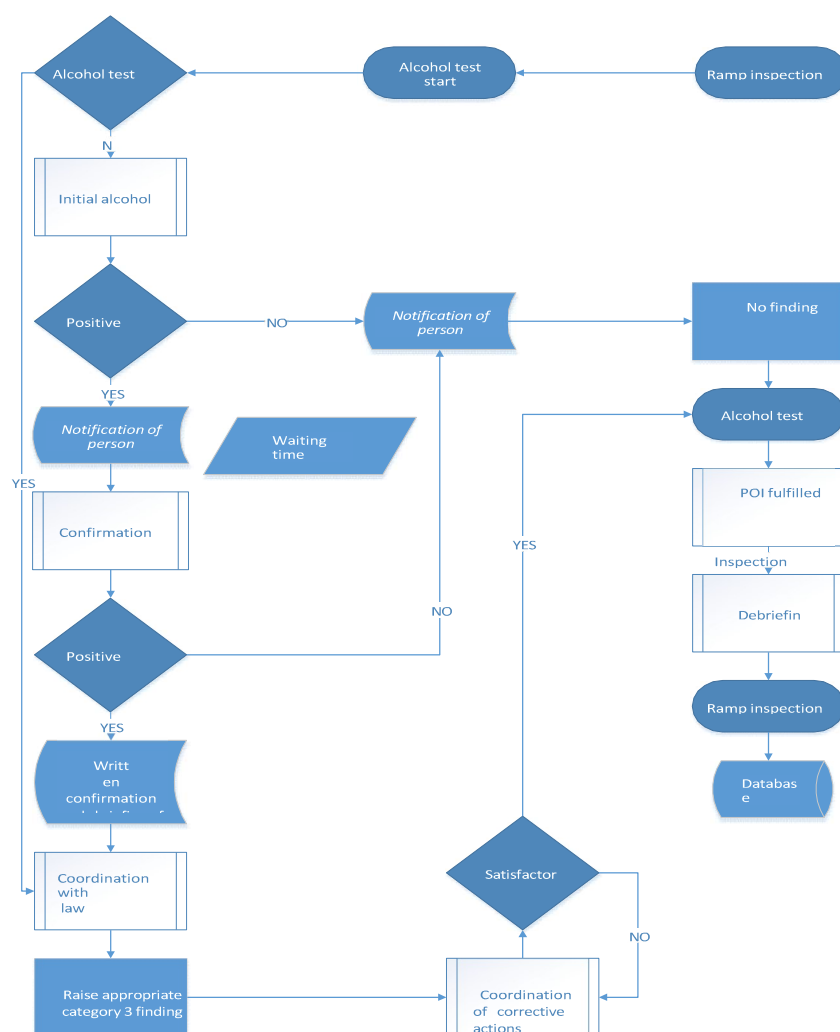
A test result is considered positive when the breath alcohol concentration (BrAC), measured by a breath alcohol tester is higher than the equivalent the equivalent level of 0.2 grams of blood alcohol concentration (BAC) per liter of blood.

The alcohol test consists of an initial test followed by a confirmation test whenever the initial test result was positive. **A waiting time of minimum 15 min** but not more than 30 minutes, after the completion of the initial test, should be observed between the initial and the confirmation test; during this time the crew is still on duty but ramp inspectors should observe that the crew member does not eat or drink or ingest something into her/his mouth, in order to prevent residual alcohol in the mouth affecting the result of the confirmation test.

The written information after a positive confirmation test provided to the crew member concerned contains information on the time and date of the alcohol test, the equipment used, as well as the actual result of the alcohol test.

A lack of cooperation during the waiting time preventing the performance of the confirmation test should be regarded as a positive result. and as such should be regarded as a refusal to grant access in accordance with ORO.GEN.140 in the case of an EU operator or in accordance with TCO.115 of Commission Regulation (EU) No 452/2014 in the case of a third-country operator.

Alcohol test procedures are summarized in a flowchart hereunder:



## Licensing and Attestation Enforcement Measures

According to Regulation (EU) No 1178/2012 ARA.FCL.250 Limitation, suspension or revocation of licences, ratings and certificates, the competent authority shall limit, suspend or revoke as applicable a pilot licence and associated ratings or certificates in accordance with ARA.GEN.355 in, but not limited to, the following circumstances:

(4) exercising the privileges of a licence, rating or certificate when adversely affected by alcohol or drugs;

According to Regulation (EU) No 290/2012 Part-ARA.CC.105 which covers the suspension or revocation of cabin crew attestations, the competent authority shall take measures in accordance with ARA.GEN.355, including the suspension or revocation of a cabin crew attestation when exercising the privileges of the cabin crew attestation when adversely affected by alcohol or drugs.

  
 Captain Charles Pace  
 Director General  
 Civil Aviation Directorate  
 Transport Malta