



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

July 5, 2012

Mr. Larry J. O'Mara
2834 Bighorn Avenue
Cody, Wyoming 82414

Dear Mr. O'Mara:

This responds to your recent letter in which you requested an interpretation of the aeronautical experience requirements set forth in § 61.109(j) of Title 14, Code of Federal Regulations (14 CFR) for a person seeking to add a weight-shift-control aircraft rating to a private pilot certificate with glider and airplane category single-engine land ratings, and sport pilot privileges for weight-shift-control aircraft.

In your letter you indicate that an examiner you spoke with stated that all of the aeronautical experience requirements specified in § 61.109(j), to include the 40 hours of flight time, 20 hours of flight training, and 10 hours of solo flight training must be completed in a weight-shift-control aircraft. That statement was incorrect.

Section 61.109(j) states:

- (j) *For a weight-shift-control aircraft rating.* A person who applies for a private pilot certificate with a weight-shift-control rating must log at least 40 hours of flight time that includes at least 20 hours of flight training with an authorized instructor and 10 hours of solo flight training in the areas of operation listed in § 61.107(b)(10) and the training must include at least—
- (1) Three hours of cross-country flight training in a weight-shift-control aircraft;
 - (2) Except as provided in § 61.110, 3 hours of night flight training in a weight-shift-control aircraft that includes—
 - (i) One cross-country flight of over 75 nautical miles total distance that includes a point of landing that is a straight-line distance of more than 50 nautical miles from the original point of departure; and
 - (ii) Ten takeoffs and landings (with each landing involving a flight in the traffic pattern) at an airport;
 - (3) Three hours of flight training with an authorized instructor in a weight-shift-control aircraft in preparation for the practical test, which must have been performed within the preceding 2 calendar months from the month of the test;

- (4) Ten hours of solo flight time in a weight-shift-control aircraft, consisting of at least—
 - (i) Five hours of solo cross-country time; and
 - (ii) One solo cross-country flight over 100 nautical miles total distance, with landings at a minimum of three points, and one segment of the flight being a straight line distance of at least 50 nautical miles between takeoff and landing locations; and
- (5) Three takeoffs and landings (with each landing involving a flight in the traffic pattern) in an aircraft at an airport with an operating control tower.

Section 61.63(b)(1) states that a person who applies to add a category rating to a pilot certificate “[m]ust complete the training and have the applicable aeronautical experience.” Accordingly, a person seeking to add a weight-shift-control aircraft rating to a private pilot certificate must meet the aeronautical experience requirements of § 61.109(j) which address both required flight time and flight training.

Flight time is defined in 14 CFR § 1.1 as:

- (1) Pilot time that commences when an aircraft moves under its own power for the purpose of flight and ends when the aircraft comes to rest after landing; or
- (2) For a glider without self-launch capability, pilot time that commences when the glider is towed for the purpose of flight and ends when the glider comes to rest after landing.

The definition of flight time does not include a reference to any particular category and class of aircraft. Any reference to flight time in a regulation, unless otherwise specifically qualified, therefore does not include a limitation that the time be obtained in any particular category and class of aircraft. Accordingly, the requirement for an applicant for a weight-shift-control aircraft rating to have 40 hours of flight time may be met by obtaining flight time in any category and class of aircraft.

Paragraphs (j)(1) through (j)(5) of § 61.109 specify the flight training that must be received by an applicant to receive a weight-shift-control aircraft rating. Flight training is defined in § 61.1 as “training, other than ground training, received from an authorized instructor in flight in an aircraft.” Similar to the definition of flight time, it also does not include a limitation that the training be obtained in any particular category and class of aircraft.

The provisions of § 61.109(j)(1) through (5) impose certain additional requirements on the flight training that must be completed to meet the aeronautical experience requirements of § 61.109(j). Paragraphs (j)(1) through (j)(4) specifically require the flight training to be accomplished in a weight-shift-control aircraft. Paragraph (j)(5), however, does not contain a similar restriction. Recognizing the difficulty that weight-shift-control aircraft have operating in the traffic pattern with other categories and classes of aircraft due to their slower speeds, flight characteristics, and operating limitations, the FAA revised §61.109(j) to permit the three takeoffs and landings specified in that paragraph to be accomplished in any category and class of aircraft (75 FR 5204; February 1, 2010).

This interpretation was prepared by Paul Greer, an attorney in the Regulations Division of the Office of the Chief Counsel, and was coordinated with the General Aviation and Commercial Division (AFS-800) of the Flight Standards Service. If you have additional questions regarding this matter, please contact us at your convenience at (202) 267-3073.

Sincerely,



for Rebecca B. MacPherson
Assistant Chief Counsel, Regulations Division (AGC-200)
Office of the Chief Counsel