



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

Office of the Chief Counsel

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

JUN 22 2009  
Jeff Gebhart  
153 Autumn Drive  
Clinton, TN 37716

Dear Mr. Gebhart:

This responds to your request for a legal interpretation that was faxed to this office on February 25, 2009. Your letter requests clarification concerning the logging of pilot-in-command (PIC) flight time under 14 C.F.R. § 61.51(e) and the logging of cross-country time to meet the aeronautical experience requirements for an instrument rating under 14 C.F.R. § 61.65(d).

Your letter presents an example to illustrate your questions. In the example, Pilot A and Pilot B, who both are rated in the aircraft, take a flight between two airports that are separated by 187 nautical miles. As agreed to prior to the flight, Pilot A flies the aircraft and Pilot B acts as the PIC. Although the flight is conducted in visual meteorological conditions, Pilot A operates the aircraft in simulated instrument flight with Pilot B acting as a safety pilot. The total flight time is 2.2 hours and the total simulated instrument time is 2.0 hours. Your letter asks how much PIC flight time and cross-country flight time can be logged by Pilots A and B.

Section 61.51(e) governs the logging of PIC time and states, in relevant part, that a sport, recreational, private, or commercial pilot may log PIC time for the time during which that pilot is “the sole manipulator of the controls of an aircraft for which the pilot is rated or has privileges” or “acting as pilot in command of an aircraft on which more than one pilot is required under . . . the regulations under which the flight is conducted.”

In your example, Pilot A may log the entire flight (2.2 hours) of PIC flight time because that pilot was the sole manipulator of the controls for the entire flight. Pilot B may log the portion of the flight during which Pilot A operated in simulated instrument flight and Pilot B acted as the safety pilot (2.0 hours) because Pilot B was a required flight crewmember for that portion of the flight under 14 C.F.R. § 91.109(b).

Section 61.65 requires, in relevant part, that an applicant for an instrument rating log 50 hours of cross-country flight time as pilot in command. Cross-country time is defined in 14 C.F.R. § 61.1(b)(3)(ii) as time acquired during a flight conducted in an appropriate aircraft that “includes a point of landing that was at least a straight-line distance of more than 50 nautical miles from the original point of departure” and that “involves the use of dead

reckoning, pilotage, electronic navigation aids, radio aids, or other navigation systems to navigate to the landing point.”

A safety pilot provides a visual reference to the ground and other aircraft during the portion of the flight when the pilot manipulating the controls is flying with a view-limiting device. As discussed above, the safety pilot is a required flight crewmember for only a portion of the flight. Section 61.65(d) contemplates that only the pilot conducting the entire flight, including takeoff, landing, and en route flight, as a required flight crewmember may log cross-country flight time. Because a safety pilot does not conduct the entire flight, a person acting as a safety pilot for a portion of the flight may not log any cross-country flight time for the flight. In your example, Pilot A may log the entire flight (2.2 hours) of cross-country flight time because that pilot conducted the entire flight. However, Pilot B may not log any cross-country flight time because that pilot was a required flight crewmember for only a portion of the flight.

This response was prepared by Robert Hawks, an Attorney in the Regulations Division of the Office of Chief Counsel and coordinated with the Certification and General Aviation Operations Branch of Flight Standards Service. We hope this response has been helpful to you. If you have additional questions regarding this matter, please contact us at your convenience at (202) 267-3073.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca B. MacPherson", with a long horizontal flourish extending to the right.

Rebecca B. MacPherson  
Assistant Chief Counsel for Regulations, AGC-200