



U.S. Department  
of Transportation

**Federal Aviation  
Administration**

MAY 21 2009

Office of the Chief Counsel

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

Jason E. Herman  
57 Drum Hill Road  
Wilton, CT 06897

Dear Mr. Herman:

This responds to your January 9, 2009 request for a legal interpretation. In your letter you requested clarification concerning the logging of pilot-in-command (PIC) flight time under 14 C.F.R. § 61.51(e) for flights conducted in complex and/or high-performance airplanes.

Your letter presents a scenario in which a pilot, who holds a private pilot certificate with an aircraft single engine land rating but does not have endorsements for high-performance or complex airplanes required by 14 C.F.R. §§ 61.31(e)-(f) to act as a PIC, is flying in a high-performance and complex airplane. Another pilot, who has those endorsements, is acting as a PIC for the flight. Your letter asks whether the pilot lacking the endorsements may log PIC time for the time that pilot is the sole manipulator of the controls. Your letter also asks a similar question in the context of a pilot lacking those endorsements logging PIC time during a training flight. The response that follows applies to either scenario because the regulations govern the logging of PIC time whenever a pilot is the sole manipulator of the controls of an aircraft.

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." The term "rated," as used in section 61.51(e), refers to the pilot holding the appropriate aircraft ratings (category, class, and type, if a type rating is required), and these ratings are listed in 14 C.F.R. § 61.5 and are placed on the pilot certificate. *See* Interpretation to James R. Knight II (June 3, 1999). Sections 61.31(e) and (f) establish additional training and endorsement requirements before acting as a PIC of a complex or high-performance airplane, respectively. Although these endorsements are required before a pilot may act as a PIC of a high-performance and/or complex airplane, they are not required to log PIC time if the pilot is rated for and is the sole manipulator of the controls of the aircraft.

There is a distinction between logging PIC time and acting as a PIC. For a pilot to log PIC time (i.e., the sole manipulator of the controls), a pilot must be properly rated in the aircraft by having the appropriate category, class, and type ratings. For a pilot to act as a PIC (i.e., the pilot who has final authority and responsibility for the operation and safety of the flight), a pilot must be properly rated in the aircraft and be properly rated and authorized to conduct

the flight. In your example, being properly rated and authorized would include having the endorsements for complex and high-performance airplanes as required by sections 61.31(e) and (f). Accordingly, in your examples, the pilot may log PIC time if that pilot is properly rated for the aircraft flown even though that pilot does not have the required endorsements to act as a PIC.

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 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