



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

Office of the Chief Counsel

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

JAN 9 2015

Daniel Beard


Re: Section 61.31(d) solo endorsement requirements for additional category and/or class ratings

Dear Mr. Beard:

This letter responds to your request for legal interpretation dated July 27, 2014. You have asked several questions regarding solo endorsements required to act as pilot in command of an aircraft for which a pilot does not hold the appropriate category and/or class ratings.

Specifically, you have asked whether the solo endorsement requirements for student pilots in 14 C.F.R. part 61, subpart C also apply to pilots who hold higher certificates and are seeking an additional rating. The answer is no. Section 61.81 states that subpart C "prescribes the requirements for the issuance of student pilot certificates, the conditions under which those certificates are necessary, and the general operating rules and limitations for the holders of those certificates." As such, by its express language, subpart C to part 61 applies only to those persons who are seeking or hold a student pilot certificate.

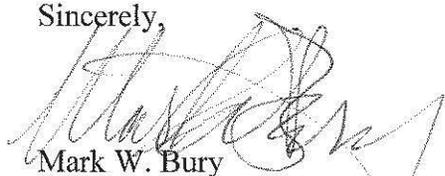
Section 61.63 contains the requirements for pilots who hold a higher level pilot certificate and are seeking an additional category and/or class rating. For example, a pilot who applies to add a category rating to a pilot certificate must, among other things, complete the required training and aeronautical experience required for that rating. 14 C.F.R. § 61.63(b)(1). Generally, to meet the aeronautical experience requirements for a new category of aircraft, a pilot must accomplish solo flight time. Because the pilot does not hold the ratings necessary to act as pilot in command, a pilot must receive an endorsement for solo flight from an authorized instructor under 14 C.F.R. § 61.31(d). To receive that endorsement, a pilot must have received the training required under part 61 "appropriate to the pilot certification level, aircraft category, class, and type rating (if a class or type rating is required) for the aircraft to be flown." 14 C.F.R. § 61.31(d)(2). Unlike solo endorsements for student pilots, § 61.31(d) does not contain any time limitation for the endorsement.

Finally, you have also asked whether a person operating in solo flight under a § 61.31(d) endorsement must comply with the flight review requirements in § 61.56(c). With a few listed exceptions, no person make act as pilot in command of an aircraft unless within the previous 24 calendar months that person completed a flight review with an authorized

instructor. 14 C.F.R. § 61.56(c). Section 61.56(g) provides an exception for student pilots provided the student pilot is undergoing training for a certificate and has a current solo flight endorsement as required under §61.87. Because this exception applies to student pilots, a pilot who holds a higher level pilot certificate and has an endorsement for solo flight under § 61.31(d) must comply with the flight review requirements in § 61.56 before acting as pilot in command of any aircraft.

This response was prepared by Anne Moore, an attorney in the International Law, Legislation, and Regulations Division of the Office of the Chief Counsel and coordinated with the General Aviation and Commercial Division of the Flight Standards Service. If you have any additional questions regarding this matter, please contact my office at (202) 267-3073.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark W. Bury", written over a faint, large, stylized watermark or background graphic.

Mark W. Bury
Assistant Chief Counsel for International Law,
Legislation, and Regulations