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

Office of the Chief Counsel

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

AUG -8 2014

James W. Johnson
Air Line Pilots Association, International
535 Herndon Parkway
PO Box 1169
Herndon, VA 20172-1169

Dear Mr. Johnson:

This is in response to your April 4, 2014 requesting an interpretation of the term "flight time" as it is used in the context of 14 C.F.R. §1.1 and part 117. Specifically, you asked whether the entire time until an aircraft is parked at the gate counts as flight time. The scenario given was that an aircraft, upon landing taxies to a ramp to wait for a gate to become available and then taxies to the gate. The short answer is that all such time constitutes flight time unless the aircraft is not moving under its own power (i.e., being moved by tug from the ramp to the gate).

The FAA has issued numerous interpretations dealing with what constitutes flight time, a number of which you cite in your letter.[1] We will not review each of those interpretations at this time since they have been well settled and go as far back as 1972. We are attaching a more recent interpretation issued in the context of part 121 that further solidifies the long-standing meaning of flight time that can be found in §1.1.[2] The application of the long standing meaning of what constitutes flight time under part 117 would be no different.

In the Silverberg interpretation, we clarified that all time spent while an aircraft moves under its own power is flight time as defined in § 1.1. The scenario in that case dealt with an aircraft taxiing under its own power to a deicing pad prior to takeoff, but the definition applies equally to operations after landing. Until an aircraft has been shut down with no further movement under its own power (for the purpose of flight or flight completion), the flight time clock continues ticking.

We appreciate your patience and trust that the above responds to your concerns. If you need further assistance, please contact my staff at (202) 267-3073. This response was prepared by Robert H. Frenzel, Manager, Operations Law Branch, Regulations Division

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[1] Pierre deVincentis (Oct 18, 1972), Brennaman (May 7, 1975), Reeves (Dec. 9, 1975), Lenahan (Sep. 25, 1979), McCabe (Feb. 11, 2011) and Laurion (Aug. 28, 2012)

[2] Letter to Robert P. Silverberg from Mark W. Bury, Assistant Chief Counsel for International Law, Legislation and Regulations, AGC-200 (Apr. 7, 2014)

of the Office of the Chief Counsel, and coordinated with the Air Transportation Division of Flight Standards Service.

Sincerely,

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