



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

Office of the Chief Counsel

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

SEP 12 2008

Mr. Troy M. Wadsworth
Vice President of Flight Operation
National Pilot Academy
2316 Aviation Way #6
Cedar City, UT 84720

Dear Mr. Wadsworth,

This responds to your letter dated May 20, 2008, requesting an interpretation of Title 14, Code of Federal Regulations, as it pertains to training of a Certificated Flight Instructor (CFI) applicant before he begins his CFI training with a "senior" CFI. You specifically inquire if a CFI applicant may get "right seat proficient" in the areas of operation listed in §61.107(b)(1) and §61.127(b)(1) with a "junior" flight instructor or even by himself prior to the applicant's first-time training with a "senior" flight instructor as described under §61.195(h). Although our regulations do not explicitly define "junior" and "senior" CFI, we understand that in aviator's vernacular an instructor who meets the requirements of either §61.195(h)(2) or §61.195(h)(3) means a "senior" CFI.

Set forth below is pertinent part of the regulations.

§61.195

(h) Qualifications of the flight instructor for training first-time flight instructor applicants.

(2) Except for an instructor who meets the requirements of paragraph (h)(3)(ii) of this section, a flight instructor who provides training to an initial applicant for a flight instructor certificate must—

(i) Meet the eligibility requirements prescribed in §61.183 of this part;

(ii) Hold the appropriate flight instructor certificate and rating;

(iii) Have held a flight instructor certificate for at least 24 months;

(iv) For training in preparation for an airplane, rotorcraft, or power-lift rating, have given at least 200 hours of flight training as a flight instructor; and

(v) For training in preparation for a glider rating, have given at least 80 hours of flight training as a flight instructor.

(3) A flight instructor who serves as a flight instructor in an FAA-approved course for the issuance of a flight instructor rating must hold a current flight instructor certificate with the appropriate rating and pass the required initial and recurrent flight instructor proficiency tests, in accordance with the requirements of the part under which the FAA-approved course is conducted, and must—

- (i) Meet the requirements of paragraph (h)(2) of this section; or
- (ii) Have trained and endorsed at least five applicants for a practical test for a pilot certificate, flight instructor certificate, ground instructor certificate, or an additional rating, and at least 80 percent of those applicants passed that test on their first attempt; and
- (A) Given at least 400 hours of flight training as a flight instructor for training in an airplane, a rotorcraft, or for a power-lift training; or
- (B) Given at least a 100 hours of flight training as a flight instructor, for training in a glider rating.

As shown above, to train first-time CFI applicants, a CFI must meet the requirements of §61.195(h)(2). According to §61.195(h)(2), a qualified CFI who provides training to an initial CFI applicant must have held a CFI certificate for at least 24 months and given at least 200 hours of flight training, as well as meet other eligibility requirements stated under §61.195(h)(2). Alternatively, a CFI who teaches an FAA-approved course for the issuance of a flight instructor rating and meets all the requirements of §61.195(h)(3)(ii) can also qualify to train an initial CFI applicant.

You are right to point out that our regulations do not specifically discuss a CFI applicant's training prior to his first-time training with a "senior" CFI because such a training is not officially required by §61.195(h)(2) or §61.195(h)(3). As a flight school, you are not prohibited from offering a "Right Proficiency Course" with a "junior" CFI, which may help students to better prepare for their initial CFI training and check-in ride with a "senior" CFI. Nevertheless, no preparation prior to a CFI applicant's first-time training with a "senior" CFI can in any way substitute for or truncate the training requirements of §61.195(h). First-time CFI applicant must be trained (and not just evaluated) by a "senior" CFI who meets the qualifications of §61.195(h).

The answer is a CFI applicant may get "right seat proficient" with a "junior" flight instructor prior to the applicant's first-time training with a "senior" flight instructor. However, acquiring "right seat proficiency" with a "junior" CFI or by the applicant himself will not, in any way, relieve a CFI applicant of the obligation to go through his or her full initial training with a "senior" CFI described in §61.195(h).

This response was prepared by Adrienne Wojcik, an Attorney in the Regulations Division of the Office of the Chief Counsel, and has been coordinated with the Office of Flight Standards. If you have additional questions regarding the matter, please contact us at your convenience at (202)267-7776.

Sincerely,



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