



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

Office of the Chief Counsel

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

APR 13 2012

Glenn D. Council


Dear Mr. Council:

This is in response to your letter dated January 19, 2012, requesting an interpretation on the logging of pilot-in-command (PIC) time under 14 C.F.R. 61.51(e)(1)(iv) as it applies to First Officers in the airline business.

Section 61.51(e) governs the logging of PIC flight time. Under § 61.51(e)(1), a pilot may log PIC time when the pilot (i) is the sole manipulator of the controls of an aircraft for which the pilot is rated (category, class, and type rating, if appropriate), (ii) is the sole occupant of an aircraft, or (iii) acts as PIC¹ of an aircraft for which more than one pilot is required under the type certification of the aircraft or the regulations under which the flight is conducted. Additionally, in 2009, the FAA introduced another avenue through which a pilot could log time as PIC. 74 FR 42500, Aug. 21, 2009. Section 61.51(e)(1)(iv) permits a pilot who holds a commercial pilot certificate or ATP certificate that is appropriate to category and class of aircraft to log PIC time while performing “the duties of pilot in command while under the supervision of a qualified pilot in command” if, among other things, the pilot is undergoing an approved PIC training program. Legal Interpretation to John Duncan (April 13, 2012).

In your letter, you stated that you have 6,000 hours of second in command (SIC) time in the B-757/767. You stated you were the sole manipulator of the controls for about 2,500 of those hours, under the supervision of the PIC. Additionally, you stated you were appropriately rated for the B-757/767. Based on the information you provided, there are two ways you could have logged PIC time.

First, § 61.51(e)(1)(i) allows a commercial pilot to 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.” 14 C.F.R. 61.51(e)(1)(i). The FAA has previously stated that the term “rated,” as used in § 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 Legal Interpretation to John Speranza (Dec. 4, 2009); Legal Interpretation to Jason E. Herman (May 21, 2009); Legal Interpretation to James R. Knight II (June 3, 1999). Therefore, you could have logged PIC flight time for the time during which you were the sole manipulator of the controls, as long as you held the appropriate category, class and

¹ In order to act as PIC, a pilot must hold the appropriate category, class, and type rating, if appropriate, for the conduct of the flight. 14 C.F.R. § 1.1.

type rating, if appropriate for the conduct of the flight. *See* Legal Interpretation to John Speranza (Dec. 4, 2009).

In reference to the specific situation you present, it is important to note that in order to have logged PIC time in the B757/767, in accordance with § 61.51 (e)(1)(i), you would have needed to possess a type rating that was not subject to a “SIC Privileges Only” limitation. A type rating subject to such limitation is solely intended to allow persons who met the SIC requirements found in § 61.55 to be able to operate in international airspace. *Second-in-Command Pilot Type Rating*, Final Rule, 70 FR 45264 (Aug. 4, 2005). An airman that is only qualified to serve as SIC of an aircraft would not be able to log PIC time under the provisions of § 61.51(e)(1) because this person would not hold an appropriate type rating in the context of logging flight time.²

Second, § 61.51(e)(1)(iv) allows a pilot who holds a commercial pilot certificate or ATP certificate that is appropriate to category and class of aircraft to log PIC time while performing “the duties of pilot in command while under the supervision of a qualified pilot in command” if, among other things, the pilot is undergoing an approved PIC training program. 14 C.F.R. 61.51(e)(1)(iv). Therefore, you could have logged PIC flight time for any time you met the requirements of § 61.51(e)(1)(iv).

I hope this information has been helpful. This interpretation has been coordinated with Flight Standards Service—General Aviation and Commercial Division. If you have further questions concerning this interpretation, please contact Sabrina Jawed on my staff at 202-267-3073.

Sincerely,



Rebecca MacPherson
Assistant Chief Counsel for Regulations, AGC-200

² This legal interpretation corrects the legal interpretation to Bill Carpenter issued on February 9, 1999 by the FAA Northwest Mountain Regional Office. The Carpenter Interpretation states that an SIC can log PIC time in accordance with 14 C.F.R. § 61.51; this is incorrect outside of § 61.51 (e)(iv). A pilot can only log PIC time for the purposes of 14 C.F.R. § 61.51 if she holds the appropriate category, class, and type ratings, if a type rating is appropriate. This requirement should not be confused with § 61.159 (a)(4), which permits a pilot to count second-in-command (SIC) time toward the 250 hours of flight time required to apply for an ATP certificate. *See* Legal Interpretation to John Duncan (April 13, 2012).