October 4, 1990

J.C. Pitts-Aviation,
Inc. dba Ontario
Flight Service 581
Southwest 33rd Street
Ontario, Oregon 97914

Attention: William B. Scherer
Manager

Dear Mr. Scherer:

This is in response to your letter of August 28, 1990 requesting the FAA's position on the sharing of flight expenses by private pilots. Section 61.118(b) of the Federal Aviation Regulations states that, "a private pilot may share the operating expenses of a flight with his passengers." As we understand your question, you want to know what expenses a private pilot may share with his passengers.

The expenses that a private pilot may share are those that are directly attributable to the flight that he or she shares with their passengers. Obvious examples are fuel, oil, hangar or tie-down fees, landing or customs fees, and non-routine maintenance costs. In short, those expenses that would not be incurred by the private pilot if the flight did not take place.

The definition of expenses to include fuel and oil, plus 100% of that cost to cover other expenses, comes from Subpart D of Part 91 of the Federal Aviation Regulations; specifically, Section 91.181(d). That Section pertains only to the operation of large and turbine-powered airplanes and is not applicable to the sharing of expenses by private pilots.

We do agree that a private pilot may share equally with his passengers the rental cost of the airplane used for a flight.

Sincerely,

GEORGE L. THOMPSON
Assistant Chief
Counsel