November 5, 1990

Michael P. Shea
[redacted]

Dear Mr. Shea:

This is in response to your letter of September 26, 1990, concerning the crediting of military pilot flight experience toward the flight experience requirements for an Instrument Rating under FAR Section 61.65 and for a Commercial Pilot Airplane certificate under FAR 61. All of the military flight experience in question was acquired while you held an FAA Commercial Pilot Helicopter certificate.

Specifically, you ask whether you may credit several military flights of more than 50 nautical miles which you have made in a Bell UH-1 helicopter toward the flight experience requirements of FAR 61.65(e)(l) which requires: "A total of 125 hours of pilot flight time, of which 50 hours are as pilot-in-command in cross-country flight in a powered aircraft with other than a student pilot certificate. Each cross-country flight must have a landing at a point more than 50 nautical miles from the original departure point."

You also ask whether you may credit 3 hours actual instrument time and at least 23 hours of instrument hood time on military flights in a Bell UH-1 helicopter, and at least 20 hours in a UH-1 simulator (full motion), toward the flight experience requirements of FAR 61.65(e)(2) which requires: "40 hours of simulated or actual instrument time, of which not more than 20 hours may be instrument instruction by an authorized instructor in an instrument ground trainer acceptable to the Administrator."

Finally, you ask whether you may credit the cross-country flight experience detailed above to the Commercial Pilot airplane certificate flight requirements of FAR 61.129(G)(3)(ii) which requires in part, "100 hours pilot-in-command time including at least (ii) 50 hours of cross-country flight each flight with a landing at a point more than 50 nautical miles from the original departure point..."

In my opinion, for Instrument Rating purposes, assuming that the particulars of the flight have in all other respects satisfied the requirements of the regulations, you may credit such time since it was acquired when you held an FAA pilot certificate higher than a Student Pilot certificate, and was in a "powered aircraft". I am not in a position to address whether or not the instrument ground trainer in question is acceptable to the Administrator; your local FAA Flight Standards District Office can provide that information to you directly. However, we would construe the term "authorized instructor" as "FAA authorized."

For Commercial Pilot Airplane certificate purposes, you may also credit such time, assuming again, that the particulars of the flight time in all other respects satisfied the requirements of the regulations. I should point out that while the regulations do not require that such experience be acquired while you hold an Airplane rating, at the time you actually apply for the Airplane rating to your Commercial Pilot certificate, you must satisfy the requirements of FAR 61.129(a).

Sincerely,
George L. Thompson
Assistant Chief Counsel