October 9, 1992

Richard P. Harper
[redacted]

Dear Mr. Harper:

This is in response to your letter of September 6, 1992, regarding qualifications for chief instructor for a Part 141 flight school and chief pilot under Part 135.

Regarding the chief instructor question, you ask whether over 300 hours of full motion, full visibility simulator time can be used to satisfy the pilot in command flight time requirements of FAR 141.35(d)(2). FAR 141.35(d)(2) makes no reference to the use of simulator time as a substitute for actual flight time. FAR 61.51, which you identify, is, by its own terms, limited to flight time, not simulator time.

Certain portions of the FAR allow the crediting of simulator time towards qualifications. (See for example FAR 121.424, 425, 434 and 439). However, these sections are explicit in the allowance. Otherwise, actual flight time is the requirement. FAR 1.1 defines pilot in command in terms of flight time. Since FAR 141.35(d)(2) does not state that simulator time can be used to meet the requirement, your simulator time may not be counted toward the 2,000 hour pilot in command requirement.

With respect to the experience requirements for a chief pilot under Part 135, you ask whether your experience as an Air Force pilot can be used to satisfy the requirements of FAR 135.39(b)(1)(ii). FAR 135.39(b)(1)(ii) is quite explicit in identifying what pilot in command time qualifies under the paragraph. The provision focuses on experience in commercial operations and only those levels of experience can be used to meet the requirement. Your Air Force experience cannot be used to satisfy the requirements.

I hope this information has been helpful to you.

Sincerely,

George L. Thompson
Assistant Chief Counsel