December 8, 1993

MR. STEVE HICKS
[redacted]

Dear Mr. Hicks:

This office received a memorandum from the Helena Flight Standards District Office on November 22, 1993, requesting a response to the following inquiry:

Two pilots (one private and one commercial, neither of which is a CFI) are flying cross-country VFR taking turns flying under the hood. How does the safety pilot log his time since he is a required crew person under the regulations?

The memorandum indicated that you presented this inquiry to the Helena FSDO, and the FSDO Manager requested that this office respond directly to you. Accordingly, the response to your inquiry is set forth below.

Prior to providing a specific response to your inquiry, it is appropriate to note here the distinction between serving as PIC and logging PIC time. PIC, as defined in FAR 1.1, means the pilot responsible for the operation and safety of an aircraft during flight time. FAR 61.51 pertains to the logging of PIC flight time, and it provides that a private or commercial pilot may log as PIC time only that flight time during which he is the sole manipulator of the controls of an aircraft for which he is rated, or when he is the sole occupant of the aircraft, or when he acts as PIC of an aircraft on which more than one pilot is required under the type certification of the aircraft, or the regulations under which the flight is conducted.

Therefore, while it is not possible for two pilots to act as PIC simultaneously, it is possible for two pilots to log PIC flight time simultaneously. PIC flight time may be logged by both the PIC responsible for the operation and safety of the aircraft during flight time in accordance with FAR 1.1, and the by the pilot who acts as the sole manipulator of the controls of the aircraft for which the pilot is rated under FAR 61.51.

Responding specifically to your inquiry, the pilot that is under the hood may log PIC time for that time in which he is the sole manipulator of the controls of the aircraft, provided that he or she is rated for that aircraft. The appropriately rated safety pilot may concurrently log as second-in-command (SIC) that time during which he or she is acting as safety pilot.

However, the two pilots may, prior to initiating the flight, agree that the safety pilot will be the PIC responsible for the operation and safety of the aircraft during the flight. If this is done, then the safety pilot may log all the flight time as PIC time in accordance with FAR 1.1 and the pilot under the hood may log, concurrently, all of the flight time during which he is the sole manipulator of the controls as PIC time in accordance with FAR 61.51(c)(2)(i). In order to assist you further in this regard, enclosed please find a prior FAA interpretation concerning the logging of flight time under simulated instrument flight conditions.

I hope this response satisfactorily answers your questions.

Sincerely,

Philip Pompilio
Staff Attorney
FAA Regional Office
Office of the Chief Counsel