Oct 25, 1995

Patricia J. Arthur, L.L.C.
8400 E. Prentice Avenue Penthouse
Engelwood, CO 80111

RE: Medical certificates for Flight Instructors

Dear Ms. Arthur:

In our letter to you of June 26, 1995, we stated that we would delay answering your May 24, 1995, request for an opinion until the agency's position in this matter was clarified. We have now received guidance from the Chief Counsel's office in Washington, D.C., and can respond to your request.

You have asked whether a Second or Third Class medical certificate is required for a flight instructor to give flight instruction for compensation. If the flight instructor is not acting as pilot in command of the aircraft in which he or she is giving instruction for compensation, then no medical certificate is required. If on the other hand the instructor is also acting as the pilot in command of the aircraft in which the instruction for compensation is being given, the instructor must hold at least a Third Class medical certificate.

I hope that this answers your concerns. If you have any further questions, feel free to give me a call at (206) 227-2759.

Sincerely,

PETER R. LAYLIN Attorney