U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

Mr. James W. Johnson
Managing Attorney
Air Line Pilots Association, Intl
535 Herndon Parkway,
P.O. Box 1169 Herndon, Virginia 20172-1169

Dear Mr. Johnson,

This letter is in reply to your July 15, 2005 letter concerning the application of the compensatory rest provision of 14 CFR 121.471(c) when a pilot experiences weather delays. In essence, you ask if 14 CFR 121.471(g) is an exception to the compensatory rest provisions of section 121.471(c).

As stated in prior letters of interpretation, section 121.471(g) is an exception to pilot flight time limitations; it is not an exception to rest requirements.[1] Therefore, a pilot, who knows prior to departure of a last segment of a schedule, that he will not arrive and be released so he can begin compensatory rest no later than 24 hours after a reduced rest period begins, because of weather delays, may not depart on the last segment. However, as you are aware, section 121.471(c) is structured so that a certificate holder may reduce rest requirements in paragraphs 121.471(b)(1), (b)(2), and (b)(3). Therefore, although a certificate holder may not use section 121.471(g) to reduce rest requirements, a certificate holder may use paragraphs 121.471(c)(1), (c)(2), and (c)(3), to reduce rest as long as compensatory rest is given during the next rest period.

We trust this interpretation answered your questions. This letter was prepared by Douglas Mullen, Attorney, reviewed by Joseph Conte, Manager, Operations Law Branch of the Office of the Chief Counsel and coordinated with Flight Standards Service.

Sincerely,

/s/
Rebecca B. MacPherson
Assistant Chief Counsel, Regulations Division

[1] See October 29, 2002 Letter to James W. Johnson, from Donald P. Byrne, Assistant Chief Counsel, Regulations Division [2003-6] (copy enclosed); Air Transp. Ass'n of America v. FAA, 291 F.3d 49, 52 n.3 (D.C. Cir. 2002); January 11, 2005 Letter to Jan Marcus, from Rebecca MacPherson, Assistant Chief Counsel, Regulations Division [2005-1] (copy enclosed).