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

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

MAY 4 2007

John G. Olshock, Chief Ground Instructor
Pan Am International Flight Academy
Career Pilot Division
530 W. Deer Valley Road, Ste. 300
Phoenix, AZ 85027

Dear Mr. Olshock,

This responds to your letter dated January 2, 2007, seeking clarification of the cross country requirements for a commercial pilot certificate set forth in section 61.129(a)(3)(iii) & (iv) and (b)(3)(iii) & (iv), Title 14, Code of Federal Regulations. The requirements of these subsections differ only with respect to the type of aircraft used (single-engine vs. multi-engine), and whether the flight must be conducted during day or night VFR conditions.

The pertinent part of each subsection is that the flight must be "of at least 2 hours..., consisting of a total straight-line distance of more than 100 nautical miles from the original point of departure." You contend that "these sections are written to imply that the flight must be at least a total of two hours duration, consisting of a total straight-line distance of more than 100 nautical miles from the original point of departure." You ask whether the FAA interprets the rule also to require that flight "must also be at least two hours away from the point of departure." You note that such an interpretation would bring "the total duration of the flight to four hours" if one returns to the original point of departure.

We agree with the plain reading of the rule that you set forth. The two hour aspect establishes the minimum flight time of the entire flight. The minimum distance from the original point of departure is addressed by the 100 nautical mile aspect of the rule.

This response was prepared by Michael Chase, an Attorney in the Regulations Division of the Office of the Chief Counsel and has been coordinated with the General Aviation Division of Flight Standards Service. If you have additional questions regarding this matter, please contact us at your convenience at (202) 267-3073.

Sincerely,

Michael E. Chase

for Rebecca MacPherson
Assistant Chief Counsel
Regulations Division