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

Office of the Chief Counsel

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

MAY 18 2009

Timothy M. Metzinger
[redacted]

Dear Mr. Metzinger:

This is in response to your letter dated January 2, 2009, requesting an interpretation of 14 Code of Federal Regulations (CFR) section 61.217. You ask whether a brand new ground instructor, who has just received his ground instructor certificate, also must meet the recent experience requirements of section 61.217 in order to perform the duties of a ground instructor. (Since in your example the individual does not meet the provisions of paragraph (a) of section 61.217, you specifically ask whether a "recently minted" ground instructor has to obtain the endorsement described in section 61.217(b) before beginning to instruct.)

14 CFR part 61, subpart I, is entitled Ground Instructors; section 61.217 states:

Recent experience requirements.

The holder of a ground instructor certificate may not perform the duties of a ground instructor unless, within the preceding 12 months;

(a) The person has served for at least 3 months as a ground instructor; or
(b) The person has received an endorsement from an authorized ground or flight instructor certifying that the person has demonstrated satisfactory proficiency in the subject areas prescribed in section 61.213(a)(3) and (a)(4), as applicable.

Since in your view the new ground instructor has provided proof of proficiency in the form of the knowledge test results on the "fundamentals of instructing" and the appropriate "aeronautical knowledge areas," you ask whether the initial issuance of the Ground Instructor Certificate is considered an endorsement from the Administrator that the person has demonstrated satisfactory proficiency at the time of the issuance of the original certificate that would meet the requirements of section 61.217(b).

The answer is no; certification as a ground instructor does not meet the recent experience requirements of section 61.217. A ground instructor always must comply with § 61.217(a) or (b) in order to provide instruction, whether a new ground instructor or one with experience. 14 CFR § 61.217 requires recent experience to assure satisfactory proficiency.

This response was prepared by Cecile O'Connor, an attorney in the Regulations Division of the Office of the Chief Counsel and coordinated with the Certification and General Aviation Operations Branch of Flight Standards Service. If you have additional questions regarding this matter, please contact us at your convenience at (202) 267-3073.

Sincerely,

Rebecca B. MacPherson
Assistant Chief Counsel for Regulations, AGC-200