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

Office of the Chief Counsel

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

MAY - 4 2011

Mr. Richard Smith
[redacted]

Dear Mr. Smith:

This letter is in response to your request for interpretation of 14 C.F.R. §61.43 – Practical Tests: General Procedures, as it applies to practical tests for pilots in aircraft that can be flown by a single pilot or a two person crew.

Your inquiry specifically refers to the language in §61.43(b)(3) which says, "If the applicant performs the practical test with a copilot, the limitation of 'Second in Command Required' will be placed upon the applicant's pilot certificate." The same provision also says, "If the … aircraft type certification data sheet allows the pilot flight crew complement to be either a single pilot, or a pilot and a copilot, then the applicant may demonstrate single pilot proficiency[.]" The type certification data sheet (A22CE) for the Citation II, Model 550, which you state in your letter is the type of aircraft for which you are seeking a type rating, states that the minimum crew, for all types of flight, is 2 persons, a pilot and a copilot.

You correctly point to the language of FAA Order 8900.2, Chapter 7, section 107(b) which says, "Since the Cessna 550 … type certification requires an SIC crewmember, the applicant's pilot certificate and … type rating need not contain the limitation "Second-in-Command Required." While 8900.2 says that the pilot's certificate "need not" contain the limitation, the placement of such a limitation is not expressly prohibited by either this section of guidance nor 61.43(b)(3). Title 49 U.S.C. §44703 grants the Administrator authority to issue airman certificates. Subsection (b)(1)(D) of §44703 provides that an airman certificate shall "(D) specify the capacity in which the holder of the certificate may serve as an airman with respect to an aircraft." This provision allows the FAA to place appropriate limitations on an airman's certificate. According to the type rating table (see http://registry.faa.gov/TypeRatings/), the CE-500 type rating designation is applicable to aircraft models that must be operated by two pilots, as well as those that may be operated by only one pilot. If the 'Second in Command Required' limitation was not placed on your certificate, after taking the practical test described in your letter, your certificate would not expressly limit you from operating certain aircraft under the CE-500 type rating as a single pilot, for which you would not be qualified.

It should be noted that if you take a practical test on another model of Citation that also would have a type rating designation as a CE-500 aircraft, and meet the requirements for earning a single pilot rating, then the limitation of "Second in Command Required" could be removed from your certificate.

We hope that this response has been helpful. If you need further information, or have additional questions, please do not hesitate to contact my staff at (202) 267-3073. This response was prepared by Neal O'Hara, an Attorney in the Regulations Division, Office of the Chief Counsel of the Federal Aviation Administration, and was coordinated with the Certification and General Aviation Operations Branch of the Flight Standards Service.

Sincerely,

Michael E. Chase

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