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

Office of the Chief Counsel

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

MAR 17 2011

Ms. Karen Torres
[redacted]

Dear Ms. Torres:

This letter responds to your request for an interpretation of 14 C.F.R. §61.113, Private pilot privileges and limitations: Pilot in command. Specifically, your request raises a question regarding the extent of the prohibition on a private pilot acting as pilot in command of an aircraft for compensation or hire.

Your request indicates that you wish to pursue a business opportunity that would provide aircraft covers to private pilots, presumably at no cost to the pilot, but with no additional compensation, which would have commercial advertising or a logo printed on the outer cover surface. These covers would only be used while the aircraft is not in service, parked at a tie-down location and stationary.

After presentation of the facts above, you ask for an interpretation of two questions. One, would a private pilot be allowed to use an aircraft cover with advertising, provided for free to the private pilot, and place it on an aircraft that is not in service? Secondly, you ask whether a private pilot would be able to transport the aircraft cover within their airplane to their next stop or parking location for use?

In response to your first question, I would emphasize that a private pilot is only acting as pilot in command of an aircraft when it is operating. Therefore, using an aircraft cover which had commercial advertising or logos printed on the outside of the cover, while the aircraft is stationary, not operational and parked at a tie-down location is not prohibited by 14 C.F.R. §61.113. The answer to your second question is yes, the cover can be transported in the airplane provided that it is not stowed in a manner as to present a commercial display or in a manner that is contrary to the safe operation of the aircraft.

We trust that the above responds to your concerns. If you have additional questions or need further information, please contact my staff at (202) 267-3073. This response was prepared by Neal O'Hara, an attorney in the Regulations Division of the Office of the Chief Counsel, and was coordinated with the Certification and General Aviation Operations Branch of the Flight Standards Service.

Sincerely,

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