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

Office of the Chief Counsel
800 Independence Ave., SW.
Washington, DC 20591

MAY 11 2012

Mr. Barry T. Borella
[redacted]

Dear Mr. Borella:

This is in response to your request for interpretation of 14 C.F.R. § 61.56 (d) Flight review, with respect to whether a Civil Air Patrol (CAP) Annual Check Ride can be considered to satisfy the requirement for a biennial flight review.

The text of § 61.56 (d) reads as follows:

> (d) A person who has, within the period specified in paragraph (c) of this section, passed a pilot proficiency check conducted by an examiner, an approved pilot check airman, or a U.S. Armed Force, for a pilot certificate, rating, or operating privilege need not accomplish the flight review required by this section.

The CAPF 5 annual check ride is not listed in the regulations as a permissible substitute for the biennial flight review. However, if the person conducting the CAPF 5 annual check ride is also a Certified Flight Instructor authorized to provide flight training in the aircraft used to conduct the CAPF 5 annual check ride, and is willing to accomplish all the items required by § 61.56(a)(1)(2) and § 61.56(c)(2), then there is nothing preventing a pilot who is completing either a biennial flight review or a CAPF 5 check ride from requesting that the examiner or check airman conduct a flight check that would satisfy the requirements of both checks.

We hope that this response has been helpful to you. If you have additional questions regarding this matter, 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 General Aviation and Commercial Division of the Flight Standards Service.

Sincerely,

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