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

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

MAR 2 2 2012

Gary Harvey
Morrison Mahoney LLP
250 Summer St.
Boston, MA 02210-1181

Dear Mr. Harvey:

This letter responds to your request for a legal interpretation dated September 1, 2011. Specifically, you have asked for clarification regarding the time requirements for a biennial flight review in 14 C.F.R. § 61.56(c).

Section 61.56(c) states that "no person may act as pilot in command of an aircraft unless, since the beginning of the 24th calendar month before the month in which that pilot acts as pilot in command," he or she accomplishes a flight review given in an aircraft for which the pilot is rated.

The FAA has previously interpreted the language "since the beginning" for purposes of a § 61.58 pilot-in-command proficiency check. See Interpretation to Donald Bishop (Oct. 7, 1984). That provision requires a pilot to accomplish a pilot-in-command proficiency check "since the beginning of the 12th calendar month before the month in which the person acts as pilot in command." We stated that the language was intended to allow the pilot to determine the exact date on which his or her currency lapsed by establishing the date as the first day of the month. Accordingly, a flight review is valid through the end of the month in which it occurred. Based on the facts that you have presented, a biennial flight review accomplished on April 2, 2002, would not lapse until May 1, 2004.

We appreciate your patience and trust that the above responds to your concerns. This response was prepared by Anne Moore, an attorney in the Regulations Division of the Office of the Chief Counsel, and coordinated with the General Aviation and Commercial Division of Flight Standards Service. We hope this response has been helpful to you. 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, Regulations Division