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

Office of the Chief Counsel

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

MAY 18 2012

Jeffrey Morris
[redacted]

Dear Mr. Morris:

This is in response to your letter dated February 29, 2012, requesting an interpretation on the logging of pilot-in-command (PIC) time under 14 C.F.R. 61.51(e)(1) as it applies to a type-rated ATP with an "SIC Privileges Only" limitation for the specific turbine aircraft for which the pilot is rated. Additionally, you ask if an ATP holding the appropriate category and class rating, but no type rating, can log PIC time when he is the sole manipulator of the controls in an aircraft that requires the PIC to hold a type rating.

Your questions were addressed in a recent legal interpretation to Glenn D. Counsil, published on April 12, 2012 and attached for your convenience. In the Counsil Interpretation, we stated that an airman that is only qualified to serve as SIC of an aircraft would not be able to log PIC time under the provisions of § 61.51 (e)(1) because this person would not hold an appropriate type rating in the context of logging flight time.

The explanation for this determination was stated in a footnote in the Counsil interpretation:

> This legal interpretation corrects the legal interpretation to Bill Carpenter issued on February 9, 1999 by the FAA Northwest Mountain Regional Office. The Carpenter Interpretation states that an SIC can log PIC time in accordance with 14 C.F.R. § 61.51; this is incorrect outside of § 61.51 (e)(iv). A pilot can only log PIC time for the purposes of 14 C.F.R. § 61.51 if she holds the appropriate category, class, and type ratings, if a type rating is appropriate. This requirement should not be confused with § 61.159 (a)(4), which permits a pilot to count second-in-command (SIC) time toward the 250 hours of flight time required to apply for an ATP certificate. *See* Legal Interpretation to John Duncan (April 13, 2012).

Applying the Counsil Interpretation to your questions, a type rated ATP with an "SIC Privileges Only" limitation on his type rating cannot log PIC time when he is the sole manipulator of the controls in that aircraft since he does not hold the appropriate type ratings for that aircraft. Additionally, the same pilot, holding the appropriate category and class rating, but no type rating, cannot log PIC time when he is the sole manipulator of the controls in an aircraft that requires the PIC to hold a type rating. A pilot may only log PIC time when he is not type rated in the aircraft if he is part of an approved pilot-in-command training program, described in section 61.51(e)(1)(iv).

I hope this information has been helpful. This response was coordinated with Flight Standards Service, General Aviation and Commercial Division. If you have further questions concerning this response, please contact Sabrina Jawed on my staff at 202-267-3073.

Sincerely,

Rebecca MacPherson
Assistant Chief Counsel for Regulations, AGC-200