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

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

JUN - 4 2012

Ken Williams
Ventura County Sheriff's Department
Aviation – Search and Rescue Unit
375 Durley Avenue, Suite A
Camarillo, CA 93010

Dear Mr. Williams:

This is in response to your request for an interpretation of 14 C.F.R. Part 61.57(c)(1), specifically whether instrument recency experience in helicopters carries over to an airplane if you meet the day/night VFR recency requirements in airplanes.

The basis for your inquiry appears to be a change in the rule language in the amendment to Part 61 published on August 21, 2009. Prior to this amendment, the section read, in pertinent part, "...in the appropriate category of aircraft for which instrument privileges are sought." As amended in 2009, §61.57(c)(1) now reads, in pertinent part, "...in an airplane, powered-lift, helicopter, or airship, as appropriate, for the instrument rating privileges to be maintained..."

The FAA has consistently interpreted this section to mean that a pilot must maintain instrument recency experience in whatever category of aircraft, be it airship, rotorcraft or airplane that the pilot wishes to exercise the privileges of the instrument rating. If a pilot has instrument ratings in more than one category of aircraft, he or she must maintain instrument recency in each category of aircraft in order to exercise the privileges of the instrument rating in that category of aircraft. The preamble to the 2009 final rule acknowledges that editorial changes were made to §61.57(c)(1), but the rule maintained the existing instrument recency requirements.

Accordingly, instrument recency experience in a helicopter does not carry over to an airplane. Instrument recency is a specific privilege applicable only to the category of aircraft in which the pilot has maintained instrument recency experience.

We hope that this response is 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