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

Office of the Chief Counsel

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

SEP 12 2013

Gordon Jiroux
President
Universal Helicopters
14700 N. Airport Dr.
Suite 100
Scottsdale, AZ 85620

Dear Mr. Jiroux:

This letter responds to your request for legal interpretation dated July 12, 2012. We apologize for the delay in responding to your inquiry. Specifically, you have asked several questions regarding the minimum hours for an approved course of training for a commercial pilot certificate with rotorcraft category helicopter class rating under appendix D to 14 C.F.R. part 141.

Under § 141.55(b), a training course submitted to the FAA for approval "must meet the minimum ground and flight training time requirements" of the appropriate appendix to part 141. Appendix D of that part sets forth the minimum curriculum requirements for a commercial pilot certificate and states that an approved course of training for a rotorcraft category helicopter class rating must include 115 hours of flight training. You have asked whether a school may credit previous part 141 training for the private pilot certificate and instrument rating toward the 115 hours. Based on the language in § 141.55, the answer is no.

You indicate in your letter that, if a training course for a commercial pilot certificate with a rotorcraft category helicopter class rating must include 115 standalone hours, then the required curriculum for helicopters in part 141 is inconsistent with the history of that part, which you state was intended to provide for reduced hours from part 61 requirements.[1]

In providing this legal interpretation, we note that the FAA has stated for some time that training under approved curriculum at part 141 pilot schools could be accomplished in less time than is required under part 61. In fact, a pilot who completes a private pilot certificate

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[1] To be eligible for a commercial pilot certificate with rotorcraft category helicopter class rating under § 61.129(c), a pilot must log at least 150 hours of flight time as a pilot. The 150 hours could include the 50 hours of aeronautical experience required to apply for an instrument rating under part 61. 14 C.F.R. § 61.65(d)(1). You contend that, unless previous flight time in other part 141 training courses may be credited toward the hour requirements in appendix D, the part 141 requirements exceed the flight time requirements under part 61. Under appendix B to part 141, a training course for a private pilot certificate with a rotorcraft category helicopter class rating must include 35 hours of flight training. Under appendix C to part 141, a training course for an instrument-helicopter rating must include 35 hours of flight training. With the 115 hours for commercial pilot certification, this results in 185 total hours of flight training.

with an airplane category rating (single or multi-engine class rating), an instrument airplane rating, and a commercial pilot certificate with an airplane category (single or multi-engine class rating) at a part 141 pilot school would be eligible for the practical test with 190 hours of flight time rather than the 250 hours of flight time required in part 61. 14 C.F.R. § 61.129(i)(3).

As discussed above, this same reduction does not appear to exist for applicants of a commercial pilot certificate with a rotorcraft category helicopter class rating. We note that, under § 141.55(d) and (e), a school can receive approval for a training course that does not meet the minimum ground and flight training time requirements in the appendices to part 141. A pilot school that receives approval for such a training course may not hold examining authority for the course, and practical tests must be given by an FAA inspector or an examiner who is not an employee of the school.

This response was prepared by Anne Moore, an attorney in the International Law, Legislation, and Regulations Division of the Office of the Chief Counsel, and has been coordinated with the General Aviation and Commercial Division of the Flight Standards Service. If you have any additional questions regarding this matter, please contact my office at (202) 267-3073.

Sincerely,

Mark W. Bury
Acting Assistant Chief Counsel for International Law,
Legislation and Regulations Division