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

Office of the Chief Counsel

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

AUG 18 2014

Douglas Anderson
Airline Transport Pilot
[redacted]

Dear Mr. Anderson,

This is in response to your letter asking for information about how to calculate and apply a two-hour extension taken under 14 C.F.R. § 117.19 to the short-call reserve limit of § 117.21(c)(3).

Your letter posits the following scenario. A flightcrew member on short-call reserve begins a reserve availability period (RAP) at 0400. That flightcrew member is then assigned two three-hour flight segments that begin at 0900. The flight segments are spaced apart such that the flightcrew member's flight duty period (FDP) is scheduled to end at 1600. However, prior to the beginning of the second flight segment, the aircraft experiences a mechanical issue that delays the departure until 1800. This would change the FDP termination time to 2100 if the flight segment is taken. You ask how the 2-hour extension specified in § 117.19 would apply to this scenario.[1]

Part 117 contains a set of flight, duty, and rest regulations that apply to all part 121 passenger operations and certain part 91 operations.[2] Those regulations govern, among other things, the length of a flightcrew member's short-call reserve and FDP.

Subsection 117.21(c)(3) limits the total amount of time that a flightcrew member can spend on a combined reserve availability period (RAP) and an unaugmented FDP. However, § 117.19(a) allows the combined FDP+RAP limit specified in § 117.21(c)(3) to be extended by up to 2 hours if the conditions specified in § 117.19(a) are satisfied. For the purposes of answering your question, we will assume that the conditions specified in § 117.19(a) have been satisfied.[3]

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[1] In answering this question, we will assume that the flightcrew member is acclimated. We will also assume that taking the extension will not cause the flightcrew member to exceed any cumulative limits or his daily flight time limit. We will also assume that the FDP to which the flightcrew member is assigned is unaugmented.

[2] 14 C.F.R. § 117.1.

[3] We also note that § 117.21(c) cannot be used to exceed the FDP limits specified in § 117.13 and 117.17. *See* Letter to Joshua Foltz from Mark W. Bury, Assistant Chief Counsel, AGC 200 (May 13, 2014). The FDP extension in § 117.19 can be used to extend those FDP limits, but that is unconnected to the provisions of § 117.21(c).

In order to apply the 2-hour extension to § 117.21(c)(3), a flightcrew member must first determine the FDP+RAP limit that is applicable to him or her. After determining the applicable FDP+RAP limit, the 2-hour extension is then applied directly to that limit.

Applying the above discussion to your scenario, we will first determine the FDP+RAP limit applicable to the flightcrew member in your scenario. Section 117.21(c)(3) states that:

> For an unaugmented operation, the total number of hours a flightcrew member may spend in a flight duty period and a reserve availability period may not exceed the lesser of the maximum applicable flight duty period in Table B of this part plus 4 hours, or 16 hours, as measured from the beginning of the reserve availability period.

The pilot in your scenario begins a two-segment FDP at 0900. The applicable maximum FDP limit in Table B for a two-segment FDP that begins at 0900 is 14 hours. Adding 4 hours to this number results in 18 hours. Since 18 hours is greater than 16 hours, the combined FDP and RAP time of the flightcrew member in your scenario cannot exceed 16 hours without an extension. Because that flightcrew member began his RAP at 0400, § 117.21(c)(3) requires that an FDP that is assigned during this RAP has to terminate by 2000 without an extension.

However, as mentioned previously, the FDP+RAP limit of § 117.21(c)(3) can be extended by up to 2 hours under the provisions of § 117.19(a). Applying this extension to your scenario would increase the applicable 16-hour FDP+RAP limit to 18 hours. This means that an FDP assigned during the short-call reserve taken in your scenario would not have to end until 2200. Because the flightcrew member in your scenario would have an FDP that terminates at 2100, that FDP would not violate § 117.21(c)(3) if an extension is taken pursuant to § 117.19(a).

We appreciate your patience and trust that the above responds to your concerns. If you need further assistance, please contact my staff at (202) 267-3073. This response was prepared by Alex Zektser, Attorney, International Law, Legislation, and Regulations Division of the Office of the Chief Counsel, and coordinated with the Air Transportation Division of Flight Standards Service.

Sincerely,

Mark W. Bury
Assistant Chief Counsel for
International Law, Legislation, and Regulations, AGC-200