U.S. Department of Transportation
Federal Aviation Administration

Office of the Chief Counsel

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

JUL 12 2014

Geoffrey C. Gallup
Suburban Air Freight, Inc.
4010 Amelia Earhart Plaza
Omaha, NE 68110

Dear Mr. Gallup,

This is in response to your e-mails asking whether 14 C.F.R. § 135.63(a)(4)(vii) requires flight-qualified management at an air carrier to maintain a "duty time log."

Section 135.63 specifies a set of recordkeeping requirements for part 135 certificate holders. Subsection 135.63(a)(4)(vii) requires a certificate holder to maintain a record of a "pilot's *flight time* in sufficient detail to determine compliance with the flight time limitations of this part." (emphasis added). As can be seen from the emphasized portion of the above quotation, the regulatory text of § 135.63(a)(4)(vii) requires a certificate holder to maintain a record of a pilot's flight time, but says nothing about maintaining a record of a pilot's duty time. Thus, § 135.63(a)(4)(vii) does not require a certificate holder to maintain a specific record of a pilot's duty time.

We note, however, that each certificate holder operating under part 135 is responsible for complying with all applicable flight, duty, and rest regulations of part 135. Thus, while § 135.63(a)(4)(vii) does not restrict the certificate holder to a specific method of recording duty time, the certificate holder must nevertheless ensure that its operations do not violate the pertinent flight, duty, and rest regulations. A certificate holder's compliance with these regulations is subject to FAA inspection.[1]

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

[1] *See* 14 C.F.R. § 119.59.