U.S. Department
of Transportation
Federal Aviation Administration

MAY 16 2014

Michael Graziano
[redacted]

Dear Mr. Graziano:

This letter responds to the request for a legal interpretation that you mailed to my office on April 22, 2014. You have asked for clarification regarding the operation of a civil aircraft of the United States within a foreign country. Specifically, you have asked whether a pilot who holds an EASA part-FCL private pilot license issued by Great Britain may operate a U.S.-registered aircraft in another member state of the European Union under the authority of that private pilot license.

Section 61.3 of Title 14 of the Code of Federal Regulations permits a pilot to operate a U.S.-registered aircraft without holding a pilot certificate issued by the United States when the aircraft is operated within a foreign country and the pilot holds a pilot license issued by that country. Section 61.3 and U.S. obligations under the 1944 Convention on International Civil Aviation prohibit a pilot who holds only a pilot license issued by Great Britain from operating a U.S.-registered aircraft outside of Great Britain. See Legal Interpretation to Martin Entwistle, March 7, 2014; Legal Interpretation to Barry Condell, August 20, 2009. This obligation does not change simply because the EU member states recognize each other's licenses under a common licensing scheme.

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

Sincerely,

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