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

MAR -4 2015

Daniel Murphy
[redacted]

Re: Legal Interpretation on the Application of 14 CFR §§ 61.51

Dear Mr. Murphy:

This letter responds to your request for a legal interpretation, which the FAA received on October 26, 2014, and which included three questions. Your first question concerns § 91.126(a) and (b) of Title 14 of the Code of Federal Regulations (14 CFR), which state, among other things, that "[u]nless otherwise authorized or required, any person operating an aircraft on or in the vicinity of an airport in a Class G airspace area must . . . make all turns . . . to the left unless the airport displays approved light signals or visual markings indicating" otherwise. In your letter, you identify a figure in the FAA's Aeronautical Information Manual (fig. 4-3-2) depicting "a right turn as an acceptable entry to the downwind leg of the traffic pattern." You ask whether it is "possible for a pilot [to] follow this FAA guidance without deviating" from the regulations. We address substantially similar questions in two prior legal interpretations: a June 20, 2014, interpretation to Mr. John Krug, and a May 9, 2011, interpretation to Mr. Mitchell Gossman. Rather than reanswer the question here, we have attached our prior interpretations for your convenience.[1]

Your remaining two questions concern the application of our pilot logbook regulations, codified in § 61.51. The first logbook question, briefly stated, asks whether a pilot who uses an autopilot is sufficiently "manipulating the controls" of the aircraft to allow the pilot to log that time as pilot-in-comment (PIC) flight time. For the reasons stated below, a pilot may log PIC time as the sole manipulator of the controls when the pilot uses an autopilot. The second question, briefly stated, asks whether, in an aircraft type certificated for two pilots, a second-in-command (SIC) who is appropriately type rated to log flight time as PIC may *also* log the same time as SIC. As we interpret that question, a pilot may not "double log" flight time in a manner that would misrepresent that pilot's total flight hours.

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[1] Our 2014 interpretation to Mr. Krug states, in pertinent part, that another, similar diagram in our guidance documents indicating a right-hand turn "is not specific to Class G airspace and should only be considered generally illustrative of possible circling approaches. *It does not provide authorization to make right-hand turns in violation of § 91.126(b)(1).*" (Emphasis added.) Further, and more specific to VFR operations, our 2011 interpretation to Mr. Gossman clarifies that "§ 91.126(b)(1) does not prohibit a 45-degree turn from the entry leg onto the downwind leg because we have long considered that this rule does not prohibit maneuvers necessary to safely enter the flow of traffic at the airport" and that the "guidance in the [Aeronautical Information Manual] section 4-3-3 is a recommended maneuver to safely enter the flow of traffic and does not contradict [§] 91.126(b)(1)."

Your first logbook question asks whether a pilot operating an aircraft "by use of an autopilot, [may] log that flight time during which the autopilot is operating" as PIC flight time.[2] As described above, you note that you are "specifically interested in whether the pilot can be considered to be 'manipulating the controls,' within the context of [§] 61.51(e)(1)(i)." That section states that a pilot may log PIC time if he or she "is the sole manipulator of the controls of an aircraft for which the pilot is rated . . . ."

The FAA considers a pilot's use and management of the autopilot to be the equivalent of manipulating the controls, just as one manages other flight control systems, such as trim or a yaw dampener. The autopilot system's sophistication does not affect a pilot's responsibility to manipulate and manage all control systems, including an autopilot, appropriately. Therefore, a pilot may log PIC flight time as the sole manipulator of the controls for the time in which he or she engages an autopilot.

Your second logbook question asks whether an SIC who spends time "physically manipulating the controls" of an aircraft may log that time as both PIC *and* SIC flight time. Your question arises out of the fact that a qualified SIC who takes over as the sole manipulator of the controls satisfies the criteria required to log time under either § 61.51(e) ("Logging pilot-in-command flight time") or § 61.51(f) ("Logging second-in-command flight time"). Your question, however, suggests a misunderstanding of how and why the FAA requires pilots to log flight time.

For FAA purposes, a pilot logs flight time primarily to qualify for or maintain an airman certificate or rating. Section 61.159(a)(1)-(5), for example, sets out the aeronautical experience requirements for airline transport pilots (ATPs), and requires each ATP to have at least 1,500 hours of total time as a pilot, including, among other things, 500 hours of cross-country flight time, 100 hours of night flight time, and 75 hours of instrument flight time. There is, however, no requirement to log hours as SIC specifically, only the overall requirement of 1,500 total hours of flight time. A pilot would therefore have no valid reason to double log flight time as both a PIC and an SIC. In fact, were a pilot to do so, he or she could misrepresent a segment of flight time as *twice* the flight time.

A pilot may, however, log a single hour of flight time towards more than one *distinct* certificate requirement. As described above, § 61.159(a)(1)-(5) sets out numerous aeronautical experience requirements, including 500 hours of cross-country flight time, 100 hours of night flight time, and 75 hours of instrument flight time. A properly qualified pilot, flying a single hour of cross-country, during night-time, may use that single hour towards both the cross-country and night flight requirements, without representing that single hour as two hours for total time requirements.

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[2] For the purposes of this legal interpretation, we presume that all pilots involved have the certificates, ratings, and other qualifications necessary to properly log PIC flight time under § 61.51(e)(i).

This response was prepared by Benjamin Jacobs, an attorney in the Regulations Division of the Office of the Chief Counsel, and was coordinated with the General Aviation and Commercial Division (AFS-800) of the Flight Standards Service. If you need further assistance, please contact our office at (202) 267-3073.

Sincerely,

Mark W. Bury
Assistant Chief Counsel Regulations