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

Office of the Chief Counsel

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

APR -1 2015

Camille Patch
Owner, Glass Cockpit Aviation
11550 NW Touch n Go Avenue
Boise, ID 83716

Dear Ms. Patch:

This letter responds to your request for a legal interpretation of 14 C.F.R. § 61.313 dated September 15, 2014. You asked whether the 5 hours of solo flight training required by § 61.313(d)(1) must be completed in a gyroplane.

Section 61.313(d)(1) requires "20 hours of flight time, including 15 hours of flight training from an authorized instructor in a gyroplane and at least 5 hours of solo flight training in the areas of operation listed in § 61.311" (and additional specific aeronautical experience requirements in paragraphs (d)(1)(i) through (iv) that are not relevant to your question) to apply for a sport pilot certificate with rotorcraft category and gyroplane class privileges.

You correctly state the regulation specifies that the 15 hours of flight training must be completed in a gyroplane, but there is no similar specificity for the 5 hours of solo flight training. The definition of "flight training" in § 61.1(b) does not include a reference to any particular category and class of aircraft. Generally, any reference to flight training in a regulation, unless specifically qualified, therefore does not include a limitation that the time be obtained in any particular category and class of aircraft. *See* Legal Interpretation to Larry J. O'Mara (Jul. 5, 2012). However, in the context of the sport pilot certificate, flight proficiency requirements are applicable to the category or class of aircraft for which privileges are sought. The introductory language to § 61.311 specifically qualifies the required ground and flight training by each type of privileges sought (i.e., by category and class of aircraft). When §§ 61.313 and 61.311 are read together, the 5 hours of solo flight training must be performed in the category and class of aircraft for which privileges are sought. Accordingly, in response to your question, the solo flight training must be completed in a gyroplane.

This response was coordinated with the General Aviation and Commercial Division of Flight Standards Service. We hope this response has been helpful to you. If you have additional questions regarding this matter, please contact us at your convenience at (202) 267-3073.

Sincerely,

Mark W. Bury
Assistant Chief Counsel for Regulations (AGC-200)