U.S. Department
of Transportation
Federal Aviation Administration

Office of the Chief Counsel

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

MAY 17 2016

Vanessa Oliver
Alpha Technologies, Inc.
3767 Alpha Way
Bellingham, WA 98226

Re: Clarification of the PIC Proficiency Check Requirements of 14 C.F.R. § 61.58

Dear Ms. Oliver:

This is in response to your letter dated February 5, 2016, in which you sought clarification of 14 C.F.R. § 61.58(d)(2). You explained that you represent a part 91 aviation department that operates a Gulfstream G280 and a Gulfstream G150. You recently sent one of your pilots who is already type rated in the G150 to Flight Safety where he successfully completed the initial G280 course thereby satisfying the PIC proficiency check requirements of § 61.58(a)(1) and (2) for the G280 aircraft. You asked if, under § 61.58(d), the PIC proficiency check requirements of § 61.58(a)(1) and (a)(2) are also met for the G150 aircraft based on the pilot's satisfactory completion of the practical test for a type rating in the G280 aircraft.

Under § 61.58(a), no person may act as PIC of an aircraft that is type certificated for more than one required pilot flight crewmember or is turbojet-powered unless (1) within the preceding 12 calendar months, the pilot has completed a proficiency check in an aircraft that is type certificated for more than one required pilot flight crewmember or is turbojet-powered, and (2) within the preceding 24 calendar months, the pilot has completed a proficiency check in the particular type of aircraft in which the person will serve as PIC that is type certificated for more than one required pilot flight crewmember or is turbojet-powered.

Section 61.58(d)(2) states that the PIC proficiency check required by § 61.58(a) may be accomplished by satisfactory completion of the practical test required for a type rating, in an aircraft that is type certificated for more than one required pilot flight crewmember or is turbojet-powered.

The PIC proficiency check specified in § 61.58(a)(1) may be accomplished in an aircraft of the same category and class, rather than of the same type, provided the aircraft is type certificated for more than one required pilot crewmember.[1] 38 Fed. Reg. 3156 (Feb. 1973).

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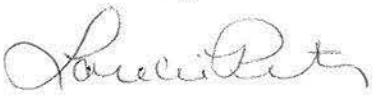
[1] In 2011, the FAA revised § 61.58 to require pilot-in-command proficiency checks for pilots who act as PIC of turbojet-powered aircraft. 76 FR 54095 (Aug. 31, 2011). As revised, a pilot who acts as PIC of an aircraft type certificated for more than one required pilot flightcrew member may also complete the 12-month proficiency check under §61.58(a)(1) in an aircraft that is turbojet-powered.

However, the PIC proficiency check specified in § 61.58(a)(2) must be accomplished in the same category, class and type of aircraft in which the pilot will be serving as PIC. *Id.* Therefore, under § 61.58(d), the pilot's satisfactory completion of the practical test in the G280 aircraft may satisfy the requirement of § 61.58(a)(1) for the G150 aircraft, but it would not satisfy the requirement of § 61.58(a)(2) for the G150 aircraft. In order to act as PIC of the G150 aircraft, the pilot would have had to have accomplished, within the last 24 calendar months, a PIC proficiency check in an aircraft of the same category, class, and type as the G150.

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 Katie Patrick, Attorney in the Regulations Division of the Office of the Chief Counsel, and coordinated with the General Aviation and Commercial Division of the Flight Standards Service.

Sincerely,



Lorelei Peter
Assistant Chief Counsel for Regulations

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February 5, 2016

Lorelei Peter
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Federal Aviation Administration
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800 Independence Ave, SW
Washington D.C., 20591

VIA Fax: 202-267-7971

Dear Ms. Peter,

I represent a Part 91 Aviation department that operates a Gulfstream G280 and a Gulfstream G150 aircraft. We recently sent one of our pilots, who is already type rated in the G150, to Flight Safety where he successfully completed the initial G280 course satisfying FAR 61.58 section (a) (1), (2) for this aircraft;

Per FAR 61.58 **(a)** Except as otherwise provided in this section, to serve as pilot in command of an aircraft that is type certificated for more than one required pilot flight crewmember or is turbojet-powered, a person must—
(1) Within the preceding 12 calendar months, complete a pilot-in-command proficiency check in an aircraft that is type certificated for more than one required pilot flight crewmember or is turbojet-powered; and
(2) Within the preceding 24 calendar months, complete a pilot-in-command proficiency check in the particular type of aircraft in which that person will serve as pilot in command, that is type certificated for more than one required pilot flight crewmember or is turbojet-powered.

We respectfully request an interpretation from FAA legal counsel to determine if, with the initial type rating in the G280, the requirements are also now met for the PIC proficiency for the G150 and based on section (d), (2);

d) The pilot-in-command proficiency check required by paragraph (a) of this section may be accomplished by satisfactory completion of one of the following:
(2) The practical test required for a type rating, in an aircraft that is type certificated for more than one required pilot flight crewmember or is turbojet-powered;

Sincerely,

Vanessa Oliver
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Power
member of The alpha Group