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

Office of the Chief Counsel

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

JAN 12 2017

Charles Allan Dick
[redacted]

Re: Second and third request for interpretation of 14 CFR 61.51(e)(1)(iv) – logging time as pilot in command

Dear Mr. Dick:

We have received your two requests for reconsideration of our legal interpretation, dated September 20, 2016, regarding logging of pilot in command (PIC) flight time under 14 C.F.R. § 61.51(e)(1)(iv).

We have reconsidered the issue and disagree with your interpretation of the regulation. From a grammatical standpoint, we note that the introductory language to § 61.51(e)(1)(iv) uses an em dash leading into the subsequent subparagraphs (A) through (D). Consistent with the Government Printing Office Style Manual, an em dash is used after an introductory phrase reading into the following lines and indicating repetition of such phrase for each those subsequent lines. Subparagraphs (A) through (D) are separated by the use of semicolons with the use of the word "and" immediately preceding paragraph (D), meaning that a person must satisfy all four requirements to log PIC flight time under that provision. Additionally, there is no punctuation or language (i.e. the word "or") preceding paragraph (B) that suggests the FAA intended a pilot could log PIC time by satisfying subparagraph (A) alone.

Accordingly, the FAA interprets § 61.51(e)(1)(iv) to mean that a pilot may log PIC flight time when he or she performs the duties of PIC while under the supervision of a qualified PIC provided: (A) the pilot holds either a commercial pilot certificate or airline transport pilot (ATP) certificate with the appropriate category rating, (B) the pilot is undergoing an approved PIC training program that includes the appropriate ground and flight training, (C) the supervising PIC meets the listed qualifications, and (D) the supervising PIC logs and certifies the time in the pilot's logbook and attests to the certification with his or her signature and flight instructor certificate number. As noted in our earlier letter, this position is supported by the 2009 preamble to the final rule. 74 FR 42500, 42514 (Aug. 21, 2009).

Based on the above, we consider your request addressed. This response was prepared by Anne Moore, an attorney in the Regulations Division. If you have any additional questions regarding this matter, please contact my office at (202) 267-3073.

Sincerely,

Lorelei Peter
Assistant Chief Counsel for Regulations