ORDER

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

8710.1

12/9/76

SUBJ: CREDITING OF SECOND-IN-COMMAND PILOT TIME TOWARD THE FLIGHT EXPERIENCE REQUIREMENTS FOR AIRLINE TRANSPORT PILOT CERTIFICATE

1. PURPOSE. This order clarifies the rules governing the crediting of second-in-command time toward the flight experience requirements of Section 61.155 of the Federal Aviation Regulations (FAR) for the issuance of an airline transport pilot (ATP) certificate.

2. DISTRIBUTION. This order is distributed to all organizational elements on ZFS-842, to the General Aviation and Flight Standards District Offices and to the Aeronautical Quality Assurance Field Offices.

3. ACTION. Field offices should ensure that applicants applying for an airline transport pilot certificate under Section 61.155 are credited with 100 percent of second-in-command time toward the 1,500-hour total time requirement in accordance with Section 61.51(c)(3).

4. BACKGROUND.

   a. It has come to our attention that various field offices are interpreting the aeronautical experience requirements of Section 61.155 in several different ways. Some offices are permitting an applicant to credit 100 percent of all second-in-command time toward the aeronautical experience requirements for an airline transport pilot certificate while other offices have permitted the crediting of such time to be limited to 50 percent and, in some cases, to allow no credit. This confusion may arise, in part, from the fact that certain offices may still be using the guidelines in Advisory Circular 61-53, Crediting of Second-in-Command Pilot Time Toward the Flight Experience Requirements for Airline Transport Pilot Certificate, which was canceled when Part 61 (revised) became fully effective.

   b. A brief history of the aeronautical experience requirements may assist in understanding the section as affected by the recent revision to Part 61.

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c. Prior to November 22, 1969, Section 61.39 (d), Second-in-Command Time, permitted the crediting of 50 percent of second-in-command time toward the total flight time required for a higher certificate or rating regardless of whether that second-in-command time was obtained in operations under Part 121 or other applicable rules. Effective November 22, 1969, Amendment 61-44 revised Section 61.145 (now Section 61.155) to permit crediting of 100 percent of all second-in-command time in operations conducted under Part 121 of the FARs toward the 1,500-hour total flight time requirement.

d. In response to Notice of Proposed Rule Making (NPRM) 68-21, which resulted in Amendment 61-44, several persons expressed opposition to the proposal since the same 100 percent credit privileges would not be afforded to pilots operating under other than Part 121; e.g., corporate pilots, Part 135 pilots, etc. In response to these comments, it was stated that the crediting of 100 percent of flight time for other than Part 121 operations was beyond the scope of the NPRM, but that it would be considered during future rulemaking action. Consequently, old Section 61.39 (d), which permitted the crediting of 50 percent of second-in-command time for all applicants, was retained until Part 61 (revised) became effective on November 1, 1973.

e. During the development of Part 61 (revised), it was determined that crediting 100 percent of the second-in-command time toward the requirements of Section 61.155(a) and (b) was desirable. This was accomplished by removing the 50 percent provisions of the old Section 61.39(d) and permitting the credit of second-in-command time under new Section 61.51(c)(3) in the following manner:

> "A pilot may log as second-in-command time all flight time during which he acts as second in command of an aircraft on which more than one pilot is required under the type certification of the aircraft, OR the regulations under which the flight is conducted;" e.g., Section 91.21, Part 135, etc.

f. Further, Section 61.155(b) states that an applicant must have at least 1,500 hours of flight time as pilot. The 250 hours of pilot-in-command time required by paragraph (b)(1) may be included in this total. Section 61.51 lists the types of pilot experience which may be considered as pilot time and includes:

(1) Pilot in command or solo.

(2) Second in command.

(3) Flight instruction received from an authorized flight instructor.

(4) Instrument flight instruction from an authorized flight instructor.

g. Because Subpart F of Part 61 was not amended during the recent upgrade of Part 61, paragraphs (d) and (d)(1) of Section 61.155 have been retained in the new rule and apply to a commercial pilot logging second-in-command time in operations conducted under Part 121. Therefore, Section 61.155(a) and (b), and the types of flight experience referenced in Section 61.51, provide the authority for other than a Part 121 applicant to credit 100 percent of second-in-command time toward the total flight experience requirements.

h. It is anticipated that a future NPRM will propose deletion of Section 61.155 (d)(1). This paragraph is now redundant and, therefore, may be confusing.

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