

Federal Aviation Administration, DOT

§ 61.1

SPECIAL FEDERAL AVIATION REGULATION NO. 96—RELIEF FOR PARTICIPANTS IN OPERATION ENDURING FREEDOM

1. *Applicability.* Flight Standards District Offices are authorized to accept from an eligible person, as described in paragraph 2 of this SFAR, the following:

(a) An expired flight instructor certificate to show eligibility for renewal of a flight instructor certificate under § 61.197, or an expired written test report to show eligibility under part 61 to take a practical test;

(b) An expired written test report to show eligibility under §§ 63.33 and 63.57 to take a practical test; and

(c) An expired written test report to show eligibility to take a practical test required under part 65 or an expired authorization to show eligibility for renewal under § 65.93.

2. *Eligibility.* A person is eligible for the relief described in paragraph 1 of this SFAR if:

(a) The person served in a civilian or military capacity in support of Operation Enduring Freedom outside the United States during some period of time from September 11, 2001, to May 6, 2004;

(b) The person's flight instructor certificate, airman written test report, or inspection authorization expired some time between September 11, 2001, and 6 calendar months after returning to the United States, or May 6, 2004, whichever is earlier; and

(c) The person complies with § 61.197 or § 65.93 of this chapter, as appropriate, or completes the appropriate practical test within 6 calendar months after returning to the United States, or May 6, 2004, whichever is earlier.

3. *Required documents.* The person must present in person the Airman Certificate and/or Rating Application (FAA Form 8710-1) to the appropriate Flight Standards District Office. The person must include with the application one of the following documents, which must show the date of assignment outside the United States and the date of return to the United States.

(a) An official U.S. Government notification of personnel action, or equivalent document, showing the person was a civilian on official duty for the U.S. Government in support of Operation Enduring Freedom outside the United States some time between September 11, 2001, and May 6, 2004;

(b) Military orders showing the person was assigned to duty outside the United States in support of Operation Enduring Freedom some time between September 11, 2001, and May 6, 2004;

(c) A letter from the person's unit commander or supervisor providing the dates during which the person served outside the United States in support of Operation Enduring Freedom some time between September 11, 2001, and May 6, 2004.

4. *Expiration date.* This Special Federal Aviation Regulation No. 96 expires May 6, 2004, unless sooner superseded or rescinded.

[Doc. No. FAA-2002-12199, 67 FR 30527, May 6, 2002]

EFFECTIVE DATE NOTE: By Doc. No. FAA-2002-12199, 67 FR 30527, May 6, 2002, SFAR 96 was added, effective May 6, 2002, through May 6, 2004.

Subpart A—General

§ 61.1 Applicability and definitions.

(a) This part prescribes:

(1) The requirements for issuing pilot, flight instructor, and ground instructor certificates and ratings; the conditions under which those certificates and ratings are necessary; and the privileges and limitations of those certificates and ratings.

(2) The requirements for issuing pilot, flight instructor, and ground instructor authorizations; the conditions under which those authorizations are necessary; and the privileges and limitations of those authorizations.

(3) The requirements for issuing pilot, flight instructor, and ground instructor certificates and ratings for persons who have taken courses approved by the Administrator under other parts of this chapter.

(b) For the purpose of this part:

(1) *Aeronautical experience* means pilot time obtained in an aircraft, flight simulator, or flight training device for meeting the appropriate training and flight time requirements for an airman certificate, rating, flight review, or recency of flight experience requirements of this part.

(2) *Authorized instructor* means—

(i) A person who holds a valid ground instructor certificate issued under part 61 or part 143 of this chapter when conducting ground training in accordance with the privileges and limitations of his or her ground instructor certificate;

(ii) A person who holds a current flight instructor certificate issued under part 61 of this chapter when conducting ground training or flight training in accordance with the privileges and limitations of his or her flight instructor certificate; or

(iii) A person authorized by the Administrator to provide ground training

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or flight training under SFAR No. 58, or part 61, 121, 135, or 142 of this chapter when conducting ground training or flight training in accordance with that authority.

(3) *Cross-country time* means—

(i) Except as provided in paragraphs (b)(3) (ii), (iii), (iv), and (v) of this section, time acquired during a flight—

(A) Conducted by a person who holds a pilot certificate;

(B) Conducted in an aircraft;

(C) That includes a landing at a point other than the point of departure; and

(D) That involves the use of dead reckoning, pilotage, electronic navigation aids, radio aids, or other navigation systems to navigate to the landing point.

(ii) For the purpose of meeting the aeronautical experience requirements (except for a rotorcraft category rating), for a private pilot certificate, a commercial pilot certificate, or an instrument rating, or for the purpose of exercising recreational pilot privileges (except in a rotorcraft) under §61.101(c), time acquired during a flight—

(A) Conducted in an appropriate aircraft;

(B) That includes a point of landing that was at least a straight-line distance of more than 50 nautical miles from the original point of departure; and

(C) That involves the use of dead reckoning, pilotage, electronic navigation aids, radio aids, or other navigation systems to navigate to the landing point.

(iii) For the purpose of meeting the aeronautical experience requirements for any pilot certificate with a rotorcraft category rating or an instrument-helicopter rating, or for the purpose of exercising recreational pilot privileges, in a rotorcraft, under §61.101(c), time acquired during a flight—

(A) Conducted in an appropriate aircraft;

(B) That includes a point of landing that was at least a straight-line distance of more than 25 nautical miles from the original point of departure; and

(C) That involves the use of dead reckoning, pilotage, electronic navigation aids, radio aids, or other naviga-

tion systems to navigate to the landing point.

(iv) For the purpose of meeting the aeronautical experience requirements for an airline transport pilot certificate (except with a rotorcraft category rating), time acquired during a flight—

(A) Conducted in an appropriate aircraft;

(B) That is at least a straight-line distance of more than 50 nautical miles from the original point of departure; and

(C) That involves the use of dead reckoning, pilotage, electronic navigation aids, radio aids, or other navigation systems.

(v) For a military pilot who qualifies for a commercial pilot certificate (except with a rotorcraft category rating) under §61.73 of this part, time acquired during a flight—

(A) Conducted in an appropriate aircraft;

(B) That is at least a straight-line distance of more than 50 nautical miles from the original point of departure; and

(C) That involves the use of dead reckoning, pilotage, electronic navigation aids, radio aids, or other navigation systems.

(4) *Examiner* means any person who is authorized by the Administrator to conduct a pilot proficiency test or a practical test for an airman certificate or rating issued under this part, or a person who is authorized to conduct a knowledge test under this part.

(5) *Flight simulator* means a device that—

(i) Is a full-size aircraft cockpit replica of a specific type of aircraft, or make, model, and series of aircraft;

(ii) Includes the hardware and software necessary to represent the aircraft in ground operations and flight operations;

(iii) Uses a force cueing system that provides cues at least equivalent to those cues provided by a 3 degree freedom of motion system;

(iv) Uses a visual system that provides at least a 45 degree horizontal field of view and a 30 degree vertical field of view simultaneously for each pilot; and

(v) Has been evaluated, qualified, and approved by the Administrator.

(6) *Flight training* means that training, other than ground training, received from an authorized instructor in flight in an aircraft.

(7) *Flight training device* means a device that—

(i) Is a full-size replica of the instruments, equipment, panels, and controls of an aircraft, or set of aircraft, in an open flight deck area or in an enclosed cockpit, including the hardware and software for the systems installed, that is necessary to simulate the aircraft in ground and flight operations;

(ii) Need not have a force (motion) cueing or visual system; and

(iii) Has been evaluated, qualified, and approved by the Administrator.

(8) *Ground training* means that training, other than flight training, received from an authorized instructor.

(9) *Instrument approach* means an approach procedure defined in part 97 of this chapter.

(10) *Instrument training* means that time in which instrument training is received from an authorized instructor under actual or simulated instrument conditions.

(11) *Knowledge test* means a test on the aeronautical knowledge areas required for an airman certificate or rating that can be administered in written form or by a computer.

(12) *Pilot time* means that time in which a person—

(i) Serves as a required pilot flight crewmember;

(ii) Receives training from an authorized instructor in an aircraft, flight simulator, or flight training device; or

(iii) Gives training as an authorized instructor in an aircraft, flight simulator, or flight training device.

(13) *Practical test* means a test on the areas of operations for an airman certificate, rating, or authorization that is conducted by having the applicant respond to questions and demonstrate maneuvers in flight, in a flight simulator, or in a flight training device.

(14) *Set of aircraft* means aircraft that share similar performance characteristics, such as similar airspeed and altitude operating envelopes, similar handling characteristics, and the same number and type of propulsion systems.

(15) *Training time* means training received—

(i) In flight from an authorized instructor;

(ii) On the ground from an authorized instructor; or

(iii) In a flight simulator or flight training device from an authorized instructor.

[Doc. No. 25910, 62 FR 16298, Apr. 4, 1997; Amdt. 61-103, 62 FR 40893, July 30, 1997]

§ 61.3 Requirement for certificates, ratings, and authorizations.

(a) *Pilot certificate*. A person may not act as pilot in command or in any other capacity as a required pilot flight crewmember of a civil aircraft of U.S. registry, unless that person—

(1) Has a valid pilot certificate or special purpose pilot authorization issued under this part in that person's physical possession or readily accessible in the aircraft when exercising the privileges of that pilot certificate or authorization. However, when the aircraft is operated within a foreign country, a current pilot license issued by the country in which the aircraft is operated may be used; and

(2) Has a photo identification that is in that person's physical possession or readily accessible in the aircraft when exercising the privileges of that pilot certificate or authorization. The photo identification must be a:

(i) Valid driver's license issued by a State, the District of Columbia, or territory or possession of the United States;

(ii) Government identification card issued by the Federal government, a State, the District of Columbia, or a territory or possession of the United States;

(iii) U.S. Armed Forces' identification card;

(iv) Official passport;

(v) Credential that authorizes unescorted access to a security identification display area at an airport regulated under 49 CFR part 1542; or

(vi) Other form of identification that the Administrator finds acceptable.

(b) *Required pilot certificate for operating a foreign-registered aircraft*. A person may not act as pilot in command or in any other capacity as a required