



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

Office of the Chief Counsel

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

FEB 15 2013

Ian Robert Dean
Dean International Inc.
14150 SW 129th Street
Miami, FL 33186

Dear Mr. Dean:

This letter responds to your request for a legal interpretation emailed on October 21, 2012. Although your email appears to state a conclusion rather than a question, we believe you requested clarification of whether a multi-engine airplane may be used to demonstrate proficiency in a complex airplane during a practical test for a commercial airplane single-engine rating. We also believe you requested clarification of whether a multiengine airplane may be used to log the required 10 hours in a complex airplane for an airplane single-engine rating under 14 C.F.R. § 61.129(a)(3)(ii).

Section 61.45 prescribes the required aircraft and equipment for practical tests. Section 61.45(a) states, in relevant part, that “an applicant for a certificate or rating” must furnish an aircraft for the practical test that “is of the category, class, and type, if applicable, for which the applicant is applying for a certificate or rating.” Furthermore, § 61.45(b)(1) states, in relevant part, that an aircraft used for a practical test must have the equipment for each area of operation required for the practical test. In other words, if an airplane single-engine rating is sought, the applicant must perform the entire practical test in a single-engine airplane, and that airplane must be equipped to demonstrate proficiency in operating a complex aircraft. This interpretation of § 61.45 was recently reaffirmed by the FAA. *See* Legal Interpretation to Allen J. Fitch (Nov. 14, 2012) (enclosed).

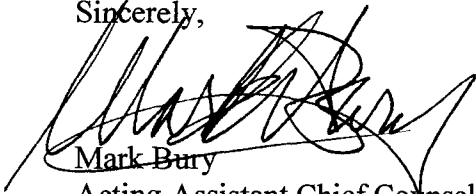
To answer the second question, § 61.129(a) prescribes the required flight time for a commercial pilot certificate with an airplane single-engine rating. Among the requirements, an applicant must log “10 hours of training in an airplane that has a retractable landing gear, flaps, and a controllable pitch propeller, or is turbine-powered.” § 61.129(a)(3)(ii). That paragraph does not specify the training be conducted in a particular aircraft category and class unlike other paragraphs in § 61.129. *See, e.g.,* § 61.129(a)(3)(iii)-(iv) (requiring single engine airplane), § 61.129(a)(4) (requiring single engine airplane), § 61.129(b)(3)(ii) (requiring multiengine airplane). Accordingly, the 10 hours of training required under §

61.129(a)(3)(ii) may be conducted in either a single- or multi-engine airplane that has a retractable landing gear, flaps, and a controllable pitch propeller, or is turbine-powered.

Finally, we note that current Flight Standards policy does not allow for simultaneous practical tests (e.g., airplane single-engine and airplane multi-engine) to be conducted unless the applicant meets the eligibility criteria for all applicable practical tests.

This response was prepared by Robert Hawks, an Attorney in the International Law, Legislation, and Regulations Division of the Office of Chief Counsel, and 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,

A handwritten signature in black ink, appearing to read "Mark Bury", is written over a circular stamp or seal.

Mark Bury

Acting Assistant Chief Counsel for
International Law, Legislation and Regulations (AGC-200)

Enclosure