



U.S. Department
of Transportation

**Federal Aviation
Administration**

Flight Standards District Office
1 Airport Way, Suite 110
Rochester, New York 14624
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<http://aea.faa.gov/aea200/ea23>

May 26, 2004

Mr. Robert J. Miller
124 Delaware Street
Tonowanda, New York 14150

Dear Mr. Miller:

Enclosed please find a response to your letter, dated September 16, 2004, regarding a Request for Legal Opinion, concerning logging Cross Country flight time for the purposes of pilot certification.

Thank you for your interest in aviation safety and should you have any questions regarding this matter, please feel free to contact our office. The office hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday and the telephone number is (585) 436-3880. The primary point of contact is the undersigned at extension 239 or email: donald.mann@faa.gov

Sincerely,

A handwritten signature in black ink that reads "Donald G. Mann".

Donald G. Mann
Aviation Safety Inspector

Enclosure



U.S. Department
of Transportation
Federal Aviation
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Memorandum

Subject: Interpretation of "Cross Country Time"
For Private Pilot Certification

Date: MAR 31 2004

From: REGIONAL COUNSEL, AEA-7

Reply to: SBrice x3268
Attn. of:

To: Manager, Flight Standards Technical Branch, AEA-230

AEA-230-

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This responds to your request for an interpretation of "cross-country time" in the context of meeting the qualifications for a private pilot certificate. The Rochester FSDO received the question upon which your request is based from a CFI in that office's jurisdictional area. I apologize that the demands on the resources of our office did not permit an earlier response.

The facts as presented involve a trip consisting of three segments. The first segment is 97 miles, from Akron, NY to Erie, PA. (By our calculation, the distance is 93.7 nautical miles (nm)). The second segment is 25 miles, from Erie to Jamestown, NY. (Our calculation shows 41.1 nm.) The third segment is 45 miles, from Jamestown back to Akron, NY. (We measured 62.3 nm.) A full stop landing is made at each point. Each distance measurement is based on a straight line from one point to the next. All distances are taken to be nautical miles.

We assume that the question concerns the requisite aeronautical experience for a private pilot certificate with airplane single engine rating and that the pilot holds a student pilot certificate. It seems that the trip, which totals 167 miles, would meet the three segment solo cross-country requirement of FAR § 61.109(a)(5)(ii), since the itinerary exceeds 150 nautical miles, has one non-stop segment of at least 50 nm, and three takeoffs and landings. We construe the question as asking whether the all of the trip, including each segment, qualifies as cross-country time.

The definition of "cross-country time," for the purpose of meeting the aeronautical experience requirements for a private pilot certificate, among other things, is found in Section 61.1(b)(3)(ii). Pertinent to this discussion is the element in that definition that the flight must include "a point of landing that was at least a straight-line distance of more than 50 nautical miles from the original point of departure." For the itinerary given, Akron, NY, is the original point of departure. Since the flight from Akron to Erie covers more than 50 miles, that segment qualifies as cross-country. Viewing the other segments as less than 50 miles, based on the facts as given, we continue the analysis to determine if they also qualify as cross-country time.

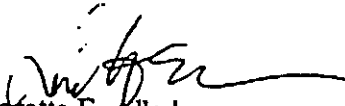
Section 61.109(a)(5)(ii) requires a non-stop segment of at least 50 miles within the overall flight. The definition of "cross-country time" in § 61.1(b)(3)(ii), however, does not speak in terms of non-stop flights for the 50 nm minimum. It merely requires that the itinerary include a point of landing that is more than 50 miles from the original point of departure. Any flight that does not include a segment going beyond the 50 mile radius from the original point of departure, regardless of the total distance flown or the distance flown between any segments, could not be

counted as cross-country time. Furthermore, to count as cross-country regardless of the length of the segment, the operation must require the use of dead reckoning navigation, at least two navigation facilities, or a sole source airborne navigation device. See Interpretation 1979-16, 1 FEDERAL AVIATION DECISIONS at 1-346 (Clark Boardman 1993).

For the purposes of 61.1(b)(3)(ii), the length of any given individual segment of a flight is irrelevant. The determining factor is the distance between the furthest point of landing and the original point of departure, not the previous takeoff point. Even if an individual segment length were relevant, analyzing each segment as a separate flight to determine whether it, by itself, constitutes a cross-country flight would be inappropriate. Section 61.109(a)(5)(ii) refers to "one solo cross-country flight" (emphasis added) with stops at a minimum of three points, i.e., three segments. We construe the term "flight" as used in Part 61 as comprising a combination of legs or segments, and not just the portion between a single takeoff and landing. Each constituent segment, no matter how short, would count as part of a cross-country flight so long as the overall itinerary included "a point of landing that was at least a straight-line distance of more than 50 nautical miles from the original point of departure" in accordance with § 61.1(b)(3)(ii).

We conclude that the flight from Akron, NY, to Erie, then to Jamestown, and back to Akron counts in its entirety as cross country time under § 61.3(b)(3)(ii) since it includes a point of landing, Erie, that is more than 50 miles from the original point of departure, Akron. We also conclude that the flight meets the requirements of § 61.109(a)(5)(ii) since it totals more than 150 nautical miles, includes a full-stop landing at three different points, and incorporates a non-stop segment exceeding 50 nautical miles.

I trust that this satisfactorily responds to your question. Should you have any questions, please contact Stephen Brice in this office at extension 3268.


Loretta E. Alkalay