

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 61**

[Docket No. 26927; Amdt. No. 61-93]

RIN 2120-AE11

Amendment of the Annual and Biennial Flight Review Requirements

AGENCY: Federal Aviation Administration (FAA.)

ACTION: Final Rule.

SUMMARY: This final rule amends the Federal Aviation Regulations (FAR) by deleting the requirement that recreational pilots and noninstrument-rated private pilots with fewer than 400 hours of flight time (hereafter, the "affected pilots") receive 1 hour of ground and 1 hour of flight instruction annually. The final rule also amends the FAR by requiring that the biennial flight review (BFR) for all pilots consists of a minimum of 1 hour of ground instruction and 1 hour of flight instruction. This action is needed to establish a minimum standard 2-hour requirement for the BFR for all pilots. The intended effect is to eliminate inadequate flight reviews while not unduly restricting the flight instructor from requiring additional instruction. Additionally with this final rule, flight instructors who renew their flight instructor's certificate by means of an approved flight instructor refresher course (FIRC) need not accomplish the 1 hour of ground instruction previously required in the BFR. In a minor conforming change, this final rule retains, in the BFR, alternate means of compliance for glider pilots, which was contained in the annual flight review requirement.

EFFECTIVE DATE: August 31, 1993.

FOR FURTHER INFORMATION CONTACT: Thomas Glista, Regulations Branch (AFS-850), General Aviation and Commercial Division, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8150.

SUPPLEMENTARY INFORMATION:**Background**

The requirement for an annual flight review for the affected pilots originated, in part, from a petition for rulemaking submitted by the National Association of Flight Instructors (NAFI) [47 FR 11026, March 15, 1982]. The Federal Aviation Administration (FAA) proposed the requirement in Notice of Proposed Rulemaking (NPRM) No. 85-13 [50 FR 26286, June 25, 1985].

In a comment to the NPRM dated October 24, 1985, the Aircraft Owners and Pilot Association (AOPA) objected to the NPRM because the FAA proposed to attach additional training requirements for already certificated pilots to NAFI's proposal for an additional pilot certificate. AOPA disputed the justification for the FAA's proposal for the annual flight review, and provided data to indicate that there was no significant difference in the accident profile of the affected pilots as compared to the profile for all pilots. The FAA, however, evaluated the data in a different manner which supported the annual review requirement.

The annual flight review requirement was issued in a final rule titled "Certification of Recreational Pilots and Annual Flight Review Requirements for Recreational Pilots and Non-Instrument-Rated Private Pilots with Fewer than 400 Flight Hours" [54 FR 13028, March 29, 1989].

By letter dated May 22, 1989, AOPA petitioned the FAA to revise FAR § 61.56(d) by deleting the annual flight review requirement. AOPA urged reconsideration of the annual flight review requirement and provided additional accident data for review. Also, by letter dated July 25, 1989, the Experimental Aircraft Association (EAA) petitioned the FAA to delete the annual flight review requirement for the affected pilots.

As a result of the data presented in the AOPA petition, representatives of AOPA and EAA met with FAA representatives on July 13, 1990. A record of that meeting is in Docket No. 24695. In that meeting, AOPA representatives stated that the safety data do not support singling out one particular segment of pilots for an annual flight review. EAA representatives noted the continuing decline in general aviation and commented that the general aviation public is unduly burdened by additional rules. AOPA and EAA agreed that the current BFR requirement is vague and that the standards for completion of the review vary considerably between different instructors. In lieu of the annual flight review, AOPA and EAA expressed support for a minimum hour requirement for the BFR.

As a result of petitions from the AOPA and the EAA to delete the annual flight review, and numerous other inquiries questioning the sufficiency of the data used to justify the annual flight review requirement, the FAA initiated a review of the documents and data that were used to justify the adoption of the annual flight review requirement. This review is described below in a section

entitled, "Analysis of the Annual Flight Review." On March 27, 1990, the FAA completed this review and concluded that the data used in the development of the annual flight review rule may have been insufficient to justify imposing this requirement on the affected pilots. Therefore, on November 30, 1990, the FAA extended the compliance date for the annual flight review rule [§ 61.56(d)] to August 31, 1991 (Amendment No. 61-89, 55 FR 50312). This amendment also contained a request for comments. As a result of unforeseen delays in developing a proposed rule, on September 5, 1991, the FAA again extended the compliance date for the annual flight review until August 31, 1993 (Amendment No. 61-91, 56 FR 43970). Finally, on July 22, 1992, the FAA issued Notice No. 92-8 [57 FR 32680] that proposed to delete the annual flight review.

FAA Analysis of the Annual Flight Review

In March 1990, the FAA completed a reevaluation of the data that was the basis for adopting the annual flight review requirement for the affected pilots [§ 61.56(d)]. These data show the private pilot accident totals from 1976 to 1981; it was organized into fatal and nonfatal accidents, and by pilot age and total flight hours. Accidents totals were provided for the various experience levels in 100-hour increments (through 999 hours).

Because the total number of accidents was higher in each of the first four 100-hour increments than in any of the other increments, the 400-hour pilot time level was selected as the time level for the annual flight review requirement. The FAA determined on reevaluation, however, that the data did not show whether the higher accident totals for these subgroups reflected higher accident rates per pilot, or greater activity levels (i.e., exposure), or a combination of these factors.

Also, the accident data did not distinguish between instrument-rated and noninstrument-rated pilots. Thus, it was impossible to determine the extent to which relatively inexperienced instrument-rated pilots may have contributed to the accident totals.

As a result of this review, the FAA determined that the documents and data sources it used to develop the annual flight review requirement were insufficient.

FAA Analysis of Biennial Flight Review Requirements

Currently, the flight review requirements of § 61.56 are very general. Section 61.56(a) requires a review of the

current general operating and flight rules of part 91 of the FAR and a review of those maneuvers and procedures which, at the discretion of the person giving the review, are necessary for the pilot to demonstrate the safe exercise of the privileges of the pilot certificate. This requirement could be interpreted in many different ways. At one extreme, a flight review could consist of a short discussion during preflight and a 10-minute flight with one takeoff and one landing. At the other extreme, a flight review could consist of a multihour oral and flight review of all of the maneuvers and procedures listed in the practical test standards for each certificate and rating the applicant holds.

To assist the general aviation public in maintaining proficiency, the FAA created the "Pilot Proficiency Award Program" (Wings) to provide pilots with the opportunity to establish and participate in a personal recurrent training program. This voluntary program has been very successful in reducing the number of accidents for participating pilots. The Report of the Safety Review Task Force of the Federal Aviation Administration Flight Safety Program, August 1985, stated that the Wings program has an outstanding record. Only 81 accidents, with a total of 10 fatalities, have occurred among the group of 45,000 airmen who have participated in the program since 1979. In addition, statistics show that participation in the Wings program has increased 51 percent from 8,738 Wings awarded in calendar year 1986 to 13,837 awarded in calendar year 1991. Data for the full year 1992 are not available. This trend indicates that the general aviation public recognizes the need for recurrent training. Amendment 61-90 [56 FR 11308, March 15, 1991] amended § 61.56 to state that persons who have satisfactorily completed one or more phases of an FAA-sponsored pilot proficiency award program need not accomplish the flight review.

In spite of recognizing the need for recurrent training by the majority of general aviation pilots, the FAA has determined that a segment of the pilot population currently may not receive a satisfactory flight review. Therefore, a minimum of 1 hour of ground instruction and 1 hour of flight instruction should be required biennially to ensure that each person receiving a BFR receives a satisfactory review commensurate to the certificates and ratings held.

Requiring a minimum of 1 hour of flight instruction and 1 hour of ground instruction will help to eliminate inadequate flight reviews while not restricting the flight instructor from

requiring additional instruction if, in the instructor's opinion, it is needed to ensure that the pilot is capable of exercising the privileges of the certificates and ratings held.

The FAA assumes that 1 hour of flight instruction and 1 hour of ground instruction is the average duration of a flight review for pilots who have recently and consistently been exercising the privilege of their certificates and ratings. This is consistent with the recommendations of Advisory Circular AC-61-98A, described below. The FAA realizes that there are occasions when a flight review will require more than 1 hour of ground instruction and/or 1 hour of flight instruction. For example, if the pilot being reviewed has not exercised the privileges of the certificate for an extended period, it is very likely that the flight instructor would require the pilot to receive more than 1 hour of ground instruction and/or 1 hour of flight instruction. Thus, this minimum requirement of 1 hour of ground instruction and 1 hour of flight instruction does not restrict the flight instructor from requiring additional instruction, as needed, depending on the experience and skills of the pilot.

In addition, in response to comments that the FAA should publish guidelines concerning maneuvers and procedures, the FAA has developed AC-61-98A, Currency and Additional Qualification Requirements for Certified Pilots. The purpose of AC 61-98A, in part, is to provide information for certified pilots and flight instructors to use in complying with the flight review required by § 61.56. Advisory Circular 61-98A recommends that all flight reviews consist of a minimum of 1 hour of flight instruction and 1 hour of ground instruction for all pilots. The FAA has determined, however, that setting specific maneuvers and procedures requirements in the rules would unduly restrict a flight instructor's discretion in reviewing an individual's ability to safely exercise the privileges of the certificates and ratings held. Due to different pilot abilities, experience levels, type of operation, certificates, ratings, and aircraft, the flight review needs to be tailored to the individual pilot. Thus, guidance in the form of an AC will supplement this final rule and will continue to provide a useful reference source in putting together a BFR appropriate for the person receiving the review. The goals and objectives of the BFR still must be met.

Current Safety Enhancement Activities

The FAA has adopted a new approach to identifying and developing solutions for general aviation safety issues. An FAA-industry partnership called the General Aviation Action Plan Coalition (GAAPC) has been formed to address safety problems. The GAAPC consists of representatives from the FAA, Aircraft Owners and Pilots Association, Air Safety Foundation, National Business Aircraft Association, General Aviation Manufacturers Association, Experimental Aircraft Association, Helicopter Association International, National Air Transport Association, Sport Aircraft Manufacturers Association, and National Association of State Aviation Officials.

Through the GAAPC, the FAA and the general aviation community are seeking to enhance and promote general aviation. To this end, the GAAPC is working to identify problems, identify and develop the data needed to study these problems, and, where possible, suggest non-regulatory solutions to these problems. If the GAAPC determines that a solution to a problem would require regulatory action, it will forward such a recommendation to the FAA Aviation Rulemaking Advisory Committee.

The work of the GAAPC has superseded the general aviation safety studies discussed in Notice No. 92-8. Within the GAAPC, Working Group B studies issues involving initial, recurrent, and transition flight training. Priorities established for Working Group B include the BFR, complex aircraft training, and revision to the FAA's Flight Training Handbook.

Finally, the FAA currently is conducting a review of parts 61, 141, and 143. In connection with this review, the FAA is completing a thorough assessment of the skills that are needed for the different types of pilot certificates, ratings, and operations.

Other, Conforming Changes

On October 5, 1989, the FAA issued an amendment to the recreational pilot rule [Amendment No. 61-86, 54 FR 41234]. This amendment, in part, modified the annual flight review requirements for certain glider-rated private pilots. The amendment allowed glider-rated private pilots to substitute three instructional flights in a glider, each of which included a 360-degree turn, in lieu of the 1 hour of flight instruction. That change resulted, part, from comments submitted by the Soaring Society of America on the requirements for an annual review contained in the recreational pilot rule.

The FAA has determined that the change to the BFR should provide glider-rated pilots the same option for complying with the 1 hour of ground instruction and 1 hour of flight instruction as provided in Amendment No. 61-86 for glider-rated private pilots receiving the annual flight review.

Discussion of Public Comments

The FAA received 49 comments in response to Notice No. 92-8 mostly from private pilots and certified flight instructors (CFI's). The following organizations also submitted comments: the National Association of Flight Instructors (NAFI), the Air Line Pilots Association (ALPA), the Experimental Aircraft Association (EAA), the National Transportation Safety Board (NTSB), and the Aircraft Owners and Pilots Association (AOPA).

Several commenters, including EAA and AOPA, support the proposal to delete the annual flight review requirement; however, other commenters, including NAFI, ALPA, and the NTSB, are opposed to deleting the annual flight review requirement. In addition to the annual flight review requirement, other comments received in response to this NPRM reference the BFR requirement, the cost impact of the proposal, and recommended alternatives to the proposal.

Annual Flight Review Requirements

Sixteen commenters, including the EAA and AOPA, agree with the proposal to delete the annual flight review requirement indicating that this requirement should never have been imposed and that it would be beneficial for general aviation to delete it. Five other commenters, however, including the NTSB, NAFI, and ALPA, are opposed to deleting the annual flight review requirement indicating that there is a definite need for an annual flight review which is valuable in training all pilots operating in the aviation system to high standards of proficiency and performance. As a result of the reevaluation of the information used to justify the annual flight review requirements, the FAA concluded that the data used was insufficient to justify imposing this requirement on the affected pilots. Consequently, until analysis supports an annual flight review for a certain segment of the pilot population, the FAA has determined that the annual flight review requirement for the affected pilots should be removed.

Two commenters believe that the decision to delete the annual flight review requirement is based on preliminary work and incomplete

studies. In March 1990, the FAA completed a review of the data used as the basis for adopting the annual flight review requirement. The FAA concluded that the data used to develop the annual flight review rule did not justify imposing it.

Biennial Flight Review Requirement

Sixteen commenters, including the NTSB, agree with the proposed requirement for 1 hour of ground and 1 hour of flight instruction indicating that it would enhance safety, apply a more specific framework to the BFR, and provide a greater measure of standardization.

Other commenters oppose the proposed requirement for 1 hour of ground and 1 hour of flight instruction. Two commenters believe that any competent instructor should be able to determine if pilots being reviewed are competent to exercise the privileges of their certificate in less than 1 hour of flight and 1 hour of ground instruction. Eight commenters, including the EAA, believe that the time spent on a flight review should be at the discretion of the person giving the review. Five commenters, including NAFI, indicate that there is no justification for requiring the 1 hour of flight and 1 hour of ground instruction until the studies that the FAA is conducting are complete. Although the FAA believes that most pilots are receiving a satisfactory flight review, the FAA has determined that a segment of the pilot population may not receive a satisfactory flight review. The FAA believes that requiring a minimum of 1 hour of flight instruction and 1 hour of ground instruction should help eliminate inadequate flight reviews while not unduly restricting the flight instructor from requiring additional instruction if, in the judgement of the flight instructor, it is needed to ensure that the pilot is capable of exercising the privileges of the certificates and ratings held. Additionally, the FAA has published guidelines concerning maneuvers and procedures in Advisory Circular AC-61-98A entitled "Currency and Additional Qualification Requirements for Certified Pilots." If an instructor follows the recommendations contained in AC-61-98A, a BFR would take at least 1 hour of flight instruction and 1 hour of ground instruction.

Cost Impact

Thirteen commenters believe that Notice 92-8 does not address the cost impact of the proposal which, they believe, will place additional financial burdens on aircraft owners and pilots who already are faced with the high cost

of insurance, maintenance, annual inspections, and medicals. By contrast, however, AOPA commented that eliminating the annual flight review requirement would be cost-effective in that the general aviation community would avoid an estimated cost of \$75 to \$250 per pilot/per year. The FAA has prepared a detailed economic evaluation of this rule and placed it in the docket. As a result of this evaluation, the FAA has concluded that this final rule is cost beneficial. For a summary of this evaluation, refer to the "Regulatory Evaluation Summary" in this preamble.

Recommendations

NAFI indicates that, while it has no objection to the minimum requirement for 1 hour of ground and 1 hour of flight instruction for holders of private pilot certificates, it does oppose the requirement for commercial and ATP certificate holders who fly for a part 135 operator are required to have recurrent testing every 12 calendar months (§ 135.293). A pilot in command of an aircraft under instrument flight rules must accomplish an instrument proficiency check every 6 calendar months (§ 135.297). Commercial and ATP certificate holders who fly for a part 125 operator must comply with recurrent testing similar to part 135 pilots (§§ 125.287 and 125.291). Commercial and ATP certificate holders who fly for a part 121 operator are required to take 6-and-12-month proficiency checks listed in § 121.441. This recurrent testing fulfills the BFR requirement. Some commercial and ATP certificate holders, however, are not required, by other regulations, to have any recurrent training (i.e., flight instructors operating under part 61, sightseeing operations, parachute operators, and others). To maintain a level of safety commensurate with the operation and certificate held, the FAA has determined that requiring the 1 hour of flight instruction and 1 hour of ground instruction for commercial and ATP certificate holders is necessary.

One commenter suggests that an annual flight review be required for pilots who fly less than 20 hours per year. Another commenter suggests that an annual flight review be required if a pilot does not log more than 24 flights and 12 hours within the previous 12 months. Neither commenter provides any statistics to support this suggestion. As discussed previously under "Current Safety Enhancement Activities," Working Group B, within the GAAPC has been tasked to study issues involving initial, recurrent, and transition flight training.

Two commenters believe that the proposal should be modified to exempt CFI's from any flight review requirement or, at the very least, exempt the CFI from the ground instruction requirement. The FAA has determined that there is a difference between the ability to instruct and the ability to pilot an aircraft. The FAA has determined that, in certain situations, exempting the flight instructor from the 1 hour of ground instruction has merit. One of the avenues flight instructors have for renewing their flight instructor certificate is to successfully complete, within 90 days before the application for renewal of their certificate, an approved FIRC consisting of not less than 24 hours of ground or flight instruction or both [§ 61.197(c)]. Since an approved FIRC contains a review of the general operating and flight rules of part 91, the FAA has determined that flight instructors who have completed an approved FIRC will not be required to receive a minimum of 1 hour of ground instruction. The final rule reflects this change.

One commenter believes that the 1 hour of ground and 1 hour of flight instruction will become a de facto standard. The goal of the flight review requirement is to assure that the pilot being reviewed has the knowledge and skill necessary to exercise the privileges of the pilot certificate held. The FAA holds the flight instructor responsible for assuring that this performance standard is met. Since the ultimate goal is a performance standard, the FAA sees no reason that the minimum hour requirements for the flight review will become de facto.

One commenter suggests that the FAA require that the standards established in the Practical Test Standards be completion standards for the BFR, while another commenter suggests that the FAA consider the addition of a standardized curriculum for the BFR. The NTSB suggests adding specific required content for the BFR. The FAA has determined that setting specific maneuvers and procedures requirements in the rules would unduly restrict a flight instructor's discretion in reviewing an individual's ability to safely exercise the privileges of the certificates and ratings held. Due to different pilot abilities, experience levels, type of operation, certificates, ratings, and aircraft, the flight review needs to be tailored to the individual pilot. The FAA has, however, developed Advisory Circular AC-61-98A, Currency and Additional Qualification Requirements for Certified Pilots. The purpose of AC 61-98A, in part, is to provide information for certified pilots

and light instructors to use in complying with the flight review required by § 61.56.

Three commenters, including the EAA, suggest implementing either a voluntary or mandatory Wings program. Section 61.56(e) provides the option to satisfactorily complete one or more phases of an FAA-sponsored pilot proficiency award program (i.e., Wings program) in lieu of the BFR requirement. To satisfactorily complete one phase of the Wings program, a pilot must attend at least one meeting and receive at least 3 hours of flight instruction within a 12-month period. Since the cost of completing one phase of the Wings program would be much greater than receiving 1 hour each of flight and ground instruction, the FAA has determined that requiring attendance in this type of program would place an undue economic burden on the general aviation public, but should remain an option.

Additional Comments

The FAA received additional comments in response to the NPRM. Some commenters suggest that the FAA remove the BFR requirement from the regulations while other commenters suggest that the FAA require separate or supplementary flight reviews for each category of aircraft on which the pilot wishes to operate. These comments are beyond the scope of this project.

Two comments were received on Amendment No. 61-89 and two comments were received on Amendment No. 61-91. All four commenters agree with the deletion of the annual flight review requirement for the affected pilots.

Regulatory Evaluation Summary Introduction

Executive Order 12291, dated February 17, 1981, directs Federal Agencies to promulgate new regulations or modifying existing regulations only if benefits to society for each regulatory change outweigh potential costs. Accordingly, the FAA has prepared a detailed economic evaluation of this rule and placed it in the docket. The evaluation identifies and analyzes both the quantifiable and nonquantifiable economic effects of this final rule. Based on the results of its investigation, the FAA has concluded that this final rule is cost-beneficial.

This section contains a summary of the benefits and costs analyzed in the regulatory evaluation. In addition, it includes a regulatory determination required by the 1980 Regulatory Flexibility Act and an international

trade impact assessment. If more detailed economic information is desired than is presented in this summary, the reader is referred to the full regulatory evaluation contained in the docket.

Benefit/Cost Comparison

On January 1, 1994, this final rule will cover approximately 450,000 active pilots. The FAA assumes that most pilots already receive 1 hour of flight instruction and 1 hour of ground instruction in their BFR's. Based on discussions with FAA field representatives and comments from the docket, however, some pilots are receiving 1 hour of flight instruction but only ½ hour of ground instruction during their BFR's. For the purpose of this analysis, this rule will require those pilots to incur costs of an additional ½ hour of ground instruction. Because the rule requires a biennial flight review, only half of the affected pilots would incur costs each year.

In 1994, the rule will cost affected pilots \$2.1 million. For the years 1994-2003, the total costs will be \$16.2 million discounted at 7 percent (\$14.5 million discounted at 10 percent).

The rule will provide two categories of benefits. First, there will be a cost-savings from the elimination of the annual flight review requirement for the affected pilots. In addition, flight instructors who renew their flight instructor's certificate by means of an approved FIRC need not accomplish the 1 hour of ground instruction currently required in the BFR. Second, a more comprehensive BFR is expected to maintain and even enhance safety.

In 1994, the cost-savings to the affected pilots will be \$17.8 million. For the years 1994-2003, the total cost-savings will be \$135.3 million discounted at 7 percent (\$121.6 million discounted at 10 percent). Because the discounted costs of the rule at 7 percent will be \$16.2 million over the years 1994-2003, the rule is cost beneficial. The FAA also estimates that, if only 1 percent of the accidents that potentially could have been prevented by a more comprehensive BFR were avoided, safety benefits in 1991 would have been between \$5.9 million and \$7.7 million.

The cost-savings for this final rule is greater than the cost estimate shown in the final rule for an annual flight review [54 FR 13028 March 29, 1989] because the cost-savings estimated for this final rule include an estimate of the value of time for the affected pilots.

International Trade Impact Analysis

This final rule has a negligible impact on trade opportunities for U.S. firms

doing business overseas or on foreign firms doing business in the U.S. The final rule primarily affects recreational pilots and noninstrument-rated private pilots with fewer than 400 hours of flight time, not businesses involved in the sale of aviation products or services.

Regulatory Flexibility Determination

This final rule does not have a significant economic impact, positive or negative, on small entities. Pilots, rather than business entities, will be affected by this final rule. Where an affected pilot is also the sole proprietor of a small business, and exercises the privileges of his or her certificate in operations that are incidental to that business, this final rule has only a negligible cost impact. This final rule is, however, likely to reduce revenues for flight instructors who potentially could receive income from administering an annual flight review. In 1994, approximately 131,000 pilots will be affected by repeal of the annual flight review requirements. These pilots will each receive a cost-savings of \$44 annually (2 hours at \$22 per hour). The total instructor-related cost-savings to affected pilots will be \$5.76 million. On December 31, 1991, there were 69,209 flight instructor certificates. Assuming that all of the certificates were active, the income to flight instructors will be reduced by approximately \$83 each annually. This is not a significant impact.

Federalism Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980, (Pub. L. 96-511), there are no requirements for information collection associated with this rule.

Conclusion

For the reasons discussed in the preamble, and based on the findings in the Regulatory Flexibility Determination and the International Trade Impact Analysis, the FAA has determined that this final rule is not major under Executive Order 12291. In addition, the FAA certifies that this rule will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. This rule is considered significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11034 February 26, 1979). A regulatory evaluation of this rule, including a Regulatory Flexibility Determination and International Trade Impact Analysis, has been placed in the docket. A copy may be obtained by contacting the person identified under "FOR FURTHER INFORMATION CONTACT."

List of Subjects in 14 CFR 61

Aeronautical knowledge, Aviation safety, Cross-country flight privileges, Eligibility requirements, Limitations, Operational experience, Student pilots.

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends part 61 of the Federal Aviation Regulations (14 CFR part 61) as follows:

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

1. The authority citation for part 61 is revised to read as follows:

Authority: 49 U.S.C. Appendix 1354(a), 1355, 1421, 1422, and 1427; 49 U.S.C. 106(g).

2. Section 61.56 is revised to read as follows:

§ 61.56 Flight review

(a) A flight review consists of a minimum of 1 hour of flight instruction and 1 hour of ground instruction. The review must include—

(1) A review of the current general operating and flight rules of part 91 of this chapter; and

(2) A review of those maneuvers and procedures which, at the discretion of the person giving the review, are necessary for the pilot to demonstrate the safe exercise of the privileges of the pilot certificate.

(b) Glider pilots may substitute a minimum of three instructional flights in a glider, each of which includes a 360-degree turn, in lieu of the 1 hour of flight instruction required in paragraph (a) of this section.

(c) Except as provided in paragraphs (d) and (e) of this section, no person may act as pilot in command of an aircraft unless, since the beginning of the 24th calendar month before the month in which that pilot acts as pilot in command, that person has—

(1) Accomplished a flight review given in an aircraft for which that pilot is rated by an appropriately rated instructor certificated under this part or other person designated by the Administrator; and

(2) A logbook endorsed by the person who gave the review certifying that the person has satisfactorily completed the review.

(d) A person who has, within the period specified in paragraph (c) of this section, satisfactorily completed a pilot proficiency check conducted by the FAA, an approved pilot check airman, or a U.S. Armed Force, for a pilot certificate, rating, or operating privilege, need not accomplish the flight review required by this section.

(e) A person who has, within the period specified in paragraph (c) of this section, satisfactorily completed one or more phases of an FAA-sponsored pilot proficiency award program need not accomplish the flight review required by this section.

(f) A person who holds a current flight instructor certificate who has, within the period specified in paragraph (c) of this section, satisfactorily completed a renewal of a flight instructor certificate under the provisions on § 61.197(c), need not accomplish the 1 hour of ground instruction specified in subparagraph (a)(1) of this section.

(g) The requirements of this section may be accomplished in combination with the requirements of § 61.57 and other applicable recency requirements at the discretion of the instructor.

Issued in Washington, DC, on July 19, 1993.

Joseph M. Del Balzo,
Acting Administrator.

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