

Pilot In Command: Logging Vs. Acting

By Al Russo, ATP, CFII, MEI

One of the questions I receive on a regular basis has to do with logging Pilot In Command (PIC) time. This is not surprising as our own FAA admits that it has issued conflicting policy opinions in the past regarding the subject. In this article I hope to clear up any misconception regarding who can act as the PIC, and how different that is from sitting home at your desk and placing numbers your log book. The FAA treats these two concepts differently, as they are often unrelated.

Lets begin with the concept of **acting** PIC as it relates to our duty, responsibility, and authority as Pilots. From the first day of our Private Pilot training FAR 91.3 is engraved in our minds. "Final Authority", and "Directly Responsible" are serious terms we have flown by whenever we pilot an aircraft. They leave little wiggle room should you venture into the land of Runway Incursions, Airspace Violations, or ATC Compliance. According to the regs, there can only be one acting PIC at a given time for every flight.

In order to act as PIC, you must be qualified to do so. That means you must:

- Hold a current Medical Certificate
- Have all of the required endorsements (e.g.High Performance)
- Be rated in the aircraft
- and meet all recency requirements or
- Be the sole occupant on board with the appropriate endorsements as a Student Pilot.

For solo flights, and those flights where we are the sole pilot on board, the PIC determination is easy. We become the acting PIC by default. Even as a Student Pilot, with the appropriate endorsements, we are legally bound to ensure the safety of the flight, and responsible for anything that occurs from engine start, to the time the aircraft is shut down.

Should there be more than one pilot on board that is equally qualified in all respects, then a decision has to have been made prior to the flight who will be acting PIC. The acting PIC can change in flight (FAR 1.1), but at any given time there can only be one.

Whenever I strap into the right seat for a flight, prior to engine start, I always ask out loud "who is Pilot In Command for this flight?" I even do this with students to get them in the habit of considering this important role that carries with it significant responsibility should anything go awry. For commercial operations, I may even put this in writing to ensure no confusion after the fact, should my fellow pilot in command have a lapse in memory.

To be clear, the FAR's define the **acting** Pilot In Command as the pilot who:

- Is the final authority and is directly responsible for the operation and safety of the flight (91.3) There must be one, and only one for each flight.
- Has agreed to be the designated PIC before or during the flight (1.1)
- Meets all qualifications requirements, having the appropriate certifications, ratings, endorsements, recency, and medical for the flight.

Pilot In Command: Logging Vs. Acting

By Al Russo, ATP, CFII, MEI

- FAR 91.3 goes on to say that should anything happen during the flight, it is the sole responsibility of the **acting** PIC.

The second context we see the term PIC has to do with logging time in your logbook, found in FAR 61.51(e)1 (i) and (iii). We need to know that this concept is distinct and unrelated in most situations to the context found in 91.3, discussed above. Here we are referring to placing a number in your logbook. According to 61.51, there are only three ways a private or commercial pilot can log pilot in command time.

- When the pilot is the sole manipulator of the controls in an aircraft for which she is rated.
- when the pilot is the sole occupant of the aircraft
- and when the pilot is acting as PIC in an aircraft for which more than one pilot is required for that particular mission.

Lets look at each of these, then I will provide a couple of scenarios that may surprise you regarding who can log PIC time.

Lets cover the easy one first. I think we can all agree, that if you're the only one in the aircraft, then you're the one logging PIC time, and by default you're also acting PIC.

The second way you may log pic time is if you're the sole manipulator of the controls of an aircraft for which you are rated. You need only to be rated, think category and class here, or hold a type rating if one is required. You need not have a current medical, nor flight review; you don't even need the proper endorsements if they're required to log PIC time. Please recognize that in order for this to take place there must be an acting PIC on board the aircraft responsible for the safety and operation of the flight. In other words, there's someone on the plane that **does** have all the necessary qualifications, looking out for you while you are the "sole manipulator of the controls".

You may ask, "Why in the world would the FAA allow this?" One reason is for pilots to meet insurance requirements. For example *"I needed to log 50 hours of PIC time in a 400 series Cessna before I could act as PIC, or fly single pilot"*.

The third, and final way the FARs specify when you may log PIC time is when you are acting as pilot in command in an aircraft for which more than one pilot is required. In this case, even though you're not actually manipulating any controls, you can still log the time since you're required to be there, and you're acting as PIC.

A practical example for us in general aviation is when we conduct instrument practice with our pilot friends as a safety pilot. The FARs require a safety pilot to look out while the "manipulator of the controls" is under the hood. As long as both pilots agree that the safety pilot will be acting PIC, and that safety pilot is qualified to do so, then she may log time as PIC even though she never touches the controls. The flying pilot, if rated in the airplane, may also log PIC time as the sole manipulator of the controls.

Pilot In Command: Logging Vs. Acting

By Al Russo, ATP, CFII, MEI

FAR 91.109 requires the safety pilot be on board as a required crew member, performing a duty, in this case of “see and avoid” while the pilot flying is simulating instrument flight. Whether she is acting as PIC for the flight or not, she must at least hold a private pilot certificate, be rated in the aircraft with regard to category and class and since she is a required flight crew member performing a duty in flight, under FAR 91.109, she must also hold a medical certificate. FAR 61.3(c) states that “no person may act in any capacity as a required pilot flight crew member unless he or she holds a current appropriate airman medical certificate”.

In review, let's come up with a few golden rules when discussing Pilot In Command:

Rule #1: There must be an **acting** PIC on board every flight. The acting PIC must meet all of the qualifications outlined in Part 91 including ratings, medical, recency and endorsements. The acting PIC is designated before the flight, and may change in flight to another qualified pilot. The acting PIC is responsible for anything that goes on during the flight. The next time you get into an airplane with another pilot, I suggest you clarify who will be directly responsible and the final authority on board.

Rule #2: If you are a recreational, private or commercial pilot, you may log PIC any time you are the sole manipulator of the controls of an aircraft you are rated for. [61.51(e)(1)(i)] “**Rated**” means the category and class and type, if a type rating is necessary. Nothing else matters.

Rule #3: If you are a student, recreational, private or commercial pilot, you may log PIC any time you are the sole occupant of the aircraft. [61.51(e)(1)(ii) and 61.51(e)(4)] This means that even without category and class ratings, you may log PIC time if you are solo.

Rule #4: If you are a private or commercial pilot, you may log PIC anytime you are acting as PIC (in charge) of a flight on which more than one pilot is required [61.51(e)(1)(iii)] More than one pilot may be required because the aircraft is not certified for single-pilot operations. More common for general aviation is during simulated instrument flight where a second “safety pilot” is required by the regulations while the “manipulator” is under the hood. [91.109(b)] If the two pilots agree that the safety pilot is acting as PIC, and she fully qualifies, then the safety pilot can log the time as PIC.



Al Russo is a Captain on a BeechJet 400A and holds an ATP certification. He is an FAA Safety Team Representative, and works as the Director of Flight Operations for a firm in Naples, Florida. Mr. Russo holds CFI, CFII, and MEI certifications and serves as the Safety Director on the board for the Naples Flying Club. He has published several articles dealing with aviation safety nationwide with more than 3,000 hours instructing and flying experience. He currently flies and instructs out of the Naples Municipal Airport. Comments or questions welcomed at NaplesCFI@gmail.com.