

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Adminis- tration, Department of Transporta- tion

[Docket No. 7974; Amdt. 61-37]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Flight Instructor Limitations With Re- spect to Student Pilot Logbook En- dorsements

The purpose of this amendment to Part 61 of the Federal Aviation Regulations is to clearly prescribe the responsibilities and limitations of certificated flight instructors with respect to student pilot logbook endorsements under § 61.73.

By Notice 67-5 (32 F.R. 3171) issued February 16, 1967, the FAA proposed that § 61.180 be made definitive of the responsibilities and limitations of a certificated flight instructor with regard to endorsing a student pilot logbook. Interested persons have been afforded an opportunity to participate in the making of this amendment and due consideration has been given to all relevant matters presented.

As stated in the notice, under § 61.73, the student pilot is charged with the responsibility of securing from the instructor appropriate endorsements in his student pilot logbook before he may make certain solo and cross-country flights. In conjunction with this responsibility there must be a corresponding responsibility upon the instructor to determine whether the student pilot has complied with the requirements necessary for the endorsement under § 61.73. The amendment will enunciate the responsibility and will impose the duty of compliance upon the flight instructor to go along with the authority that he has had.

The only comments in opposition to the proposal were submitted by five persons who objected on two grounds. First, it was the position of four commentators that the present rule is complete, clear, and entirely satisfactory and places the responsibility for logbook endorsements entirely on the student pilot where it belongs. Secondly, one commentator took the position that failure of an instructor to properly endorse a student pilot logbook comes from a lack of understanding of what endorsements are proper and not from intentional refusal on the part

of the instructor.

The FAA does not agree that the responsibility for the logbook endorsements required under § 61.73 (c), (d), and (e) rests, or should rest, entirely on the student pilot. Instead, it is a joint responsibility with certain responsibilities applicable to both the student pilot and the instructor. The amendment makes this clear by applying limitations on the flight instructor for student pilot logbook endorsements similar to those that exist for a student pilot certificate endorsement. This will ensure that a considered determination has been made by the flight instructor before a student pilot logbook is endorsed. Furthermore, as the amendment will serve to clarify the responsibilities of the flight instructor for student pilot logbook endorsements, there should no longer be the possibility of a misunderstanding on the part of instructors of what endorsements are proper. The language of the amendment has been changed from that in the notice to aid in accomplishing this purpose.

In consideration of the foregoing, § 61.180 of the Federal Aviation Regulations is amended effective November 5, 1967, by redesignating paragraph (e) as (f) and inserting a new paragraph (e) to read as follows:

§ 61.180 Limitations.

(e) A certificated flight instructor may endorse a student pilot logbook for solo or solo cross-country flight under § 61.73 (c), (d), or (e) only if he determines that the student pilot has complied with the applicable requirements, and if he has performed the following as applicable:

- (1) Given the flight check to the student pilot as provided in § 61.73(c);
- (2) Given the flight instruction to the student pilot, and found him competent for solo flight, as provided in § 61.73(d); or
- (3) Reviewed the student pilot's pre-flight preparation and planning or given the specified flight instruction, when one of these is prescribed, and determined that the student pilot is competent to make the specified solo cross-country flight or flights, as provided in § 61.73(e).

(Secs. 313(a), 601(a), Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421)

Issued in Washington, D.C., on October 2, 1967.

D. D. THOMAS,
Acting Administrator.

(As published in the Federal Register /32 F.R. 13915/ on October 6, 1967)