

From: [REDACTED]
Subject: Brain teaser
Date: Thursday, May 9, 2019 4:23:00 PM

Hi Pete

Hope you are well

Its been crazy here

I know youre an A/W guy but if you can either answer this or point me to someone (OPS) id appreciate it

Two licensed pilots in a complex, high perf SE airplane

Left seat Pilot /owner has PPL ASEL. High perf endorsement. No Complex endorsement. 3rd class medical. TBD whether he was current

Guy in right seat has ATP & CFI. Has basic med, doesn't charge for his services (on these flights)

Purpose of flight is to get pilot/owner familiar & qual'd in this airplane

Is this an FAA legal flight? Why/why not?

Who is PIC? Why?

Michael Huhn
Air Safety Investigator
NTSB Western Pacific Region
M: [REDACTED]
[REDACTED]

From:

Subject:

Date:

SE HiPo Complex

Monday, May 13, 2019 9:52:23 AM

Good Morning Mr. Huhn,

Pete passed me your brain teaser.

The CFI would appear to be the PIC as he is the one rated in the aircraft. AC 68-1A under paragraph 5.2.2.2 (PDF pg. 14) and 61.31(e) should hold the answer to your question.

- 5.2.2.2 states that the CFI can act as PIC on BasicMed for flight instruction (regardless of compensation and despite compensation being justified in this paragraph)
- 61.31(e)(1) "no person may act as pilot in command of a complex airplane, unless the person has---", (i) Received and logged ground and flight, (ii) received a one-time endorsement.

There are some other details that should be looked at, 61.31(e)(2), but most likely won't apply as the owner is seeking the endorsement.

Is the flight FAA legal: it would appear so based on the above info

The PIC appears to be the CFI as he is the qualified pilot.

Hope this helps,

Daniel A. Gredlein

Aviation Safety Inspector

Federal Aviation Administration

Scottsdale FSDO

P: [REDACTED]