



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

September 6, 2016

David A. Berg
Senior Vice President & General Counsel
Airlines for America
1275 Pennsylvania Ave, NW
Suite 1300
Washington, DC 20004

James W. Johnson
Senior Managing Attorney, Legal Department
Air Line Pilots Association, International
535 Herndon Parkway
PO Box 1169
Herndon, VA 20172-1169

Dear Mr. Berg and Mr. Johnson:

The FAA Office of the Chief Counsel issued a Legal Interpretation to James W. Johnson, Senior Managing Attorney, Legal Department, Air Line Pilots Association, International, from Lorelei Peter, Assistant Chief Counsel for Regulations (Aug. 5, 2016) (enclosed). The interpretation requested clarification of the definition of “flight time” in 14 C.F.R. § 1.1 to four fact-specific scenarios. The FAA concluded that the aircraft in each of the scenarios had not come to rest after landing and therefore flight time would continue to accrue. In doing so, the Agency noted that each of the scenarios posited that the pilot was required to remain on board the aircraft.

On August 15, 2016, Airlines for America (“A4A”) sent an email to the FAA requesting that it either withdraw or stay the interpretation and reconsider the issues raised by the four scenarios. On August 15, and August 23, the FAA met with representatives from industry and with ALPA, respectively. On September 1, 2016, the FAA met with representatives from both industry and ALPA to discuss their views on the interpretation.

While the FAA is considering the information provided by industry and ALPA concerning the four scenarios, the Agency will temporarily stay the interpretation. This stay should not be construed to be a withdrawal or rescission of the interpretation. Prior legal interpretations involving related or similar flight time issues are not impacted by the stay and remain in effect.

This stay is effective until close of business October 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Lorelei Peter". The signature is fluid and cursive, with the first name "Lorelei" being more prominent than the last name "Peter".

Lorelei Peter
Assistant Chief Counsel for Regulations, AGC-200

Enclosure