

Ask the CFI

How Should I Log my Flight Time as a Safety Pilot?

It is not uncommon to be asked to be a safety pilot by a friend who needs to practice flying instrument approaches in simulated instrument conditions for the purpose of maintaining instrument currency and/or proficiency. Many pilots assume that both pilots can log pilot-in-command (PIC) time for this type of flight, but that is not always the case. There are multiple Federal Aviation Administration (FAA) regulations that pertain to this activity that must be carefully considered in order to determine how to log your flight time correctly.

When is a safety pilot required?

A safety pilot (SP) is a second flight crewmember required by 14 CFR §91.109(c)(1) only when the pilot flying (PF) is flying under simulated instrument conditions. This is one of the rare situations in general aviation flying, other than flight training, that requires two pilots.

Who can be a safety pilot?

The minimum qualifications to perform the duties of a safety pilot are a private, commercial or ATP certificate in the same category and class as the aircraft being flown, and a current medical as required by 14 CFR §61.3(c). A December 22, 2022 rule change¹ also allows pilots who operate under BasicMed to serve as a safety pilot when not *acting* as pilot-in-command. There are no other requirements, not even a current flight review.^{2,3}

How to log your time as a safety pilot

Assuming you meet the above requirements to act as a safety pilot, you need to figure out how you will log your flight time for the simulated instrument portion of the flight. You have two options; Pilot-in-command (PIC) or second-in-command (SIC), and which one you use depends who will be *acting* as the pilot-in-command.

As a reminder, here is a list of all the qualifications required for a pilot to *act* as pilot-in-command:

1. Hold a pilot certificate and be rated for the category and class of aircraft being flown, 14 CFR §61.3.
2. Possess a type rating for the aircraft (if required by 14 CFR §61.31).
3. Have received the required training and logbook endorsements for complex, high performance, tailwheel or pressurized aircraft, if any of those apply to the aircraft being flown, (14 CFR §61.31).
4. Hold at least a third class medical certificate, per 14 CFR §61.23(a)(3)(iii).
5. Meet the requirements for a flight review within the preceding 24 calendar months as required by 14 CFR §61.56(c).
6. To carry passengers, the pilot must have performed 3 takeoffs and landings within the preceding 90 days, per 14 CFR §61.57(a)(1).

Only one flight crewmember can *act* as pilot-in-command at a time and in the airline world that is always the captain, but in the GA environment it could be either pilot. If both pilots meet the minimum qualifications to *act* as pilot-in-command, prior to the flight you must discuss and agree on who will be *acting* as pilot-in-command. Of course, if neither pilot is qualified to act as pilot-in-command then the flight must be cancelled.

Only the simulated instrument portion of the flight requires two pilots and is therefore the only period for which both pilots could potentially log PIC time. The pilot flying (PF) is able to log the entire flight as PIC as the sole manipulator of the controls under §61.51(e)(1)(i), as long as they hold a sport, recreational, private, commercial or ATP certificate with the appropriate category and class rating. If the PF is also *acting* as the pilot-in-command for the entire flight, then the safety pilot (SP) can only log SIC time under 14 CFR §61.51(f)(2). If the SP will be *acting* as the

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pilot-in-command for the simulated instrument portion of the flight, they can log that time as PIC under § 61.51(e)(1)(iii).

For a better understanding of these complicated regulations let's take a look at some possible scenarios.

Scenario 1

The pilot of a Mooney M20J wants to fly some instrument approaches under simulated instrument conditions and has asked you to be her safety pilot. She has a current medical and flight review, as well as a complex rating, and is therefore legal to *act* as pilot-in-command. You are a private pilot with a current 3rd class medical and you recently completed a flight review, but you don't have a complex endorsement. In this case you can act as a safety pilot while the flying pilot is under the hood, but you must log the time as SIC.

Scenario 2

A friend asks you to be his safety pilot while he practices approaches in simulated instrument conditions in his Piper Seminole. You hold a Private Pilot certificate and are rated to fly single engine airplanes (ASEL). Because you do not hold a multi-engine rating you are not eligible to act as a safety pilot for this flight.

Scenario 3

You need to fly three approaches and a hold under simulated instrument conditions to maintain your instrument currency in a Cessna 172 you rent from a local flight school. You hold a private pilot certificate but your flight review and medical both expired last month. You ask a pilot friend who is current and qualified to *act* as pilot-in-command to be your safety pilot. You are eligible to log the entire flight as PIC as the sole manipulator of the controls. Although your safety pilot will be *acting* as pilot-in-command for the entire flight, they can only log PIC time for the instrument portion of the flight and nothing for the remaining time.

Scenario 4

You plan to fly to lunch with a friend in her Cirrus SR20 and she asks you to be her safety pilot while she practices under the hood for a portion of the flight. You are a private pilot with a current medical but you haven't flown in a few years and your flight review recently expired. In this example you are eligible to be her safety pilot but not to *act* as pilot-in-command, so you can only log the simulated instrument portion of the flight as SIC. On the way back from lunch your friend (who is not a CFI) asks you if you would like to fly the airplane. You enthusiastically accept her offer and fly for an hour. You can log this hour as PIC because you are a licensed pilot in the same category and class, and the sole manipulator of the controls. However, your friend cannot log any time during the period you have the controls because she is not an authorized instructor and even though she is *acting* as pilot-in-command while you fly, the operation does not require two pilots, so only one of you can log the time.

Scenario 5

It's a great day to get some actual instrument time but you feel your instrument flying skills are a bit rusty, so you ask a highly experienced instrument-rated pilot to go with you. You both are qualified to *act* as pilot-in-command but you will be the pilot flying for the entire flight. FAA regulations do not require two pilots for this operation and therefore your friend is not acting as a safety pilot. Only one of you can log the flight as PIC and the other pilot can log nothing⁴. You could log the time as PIC and actual

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instrument as the sole manipulator of the controls, or your friend can log the time as PIC if prior to the flight you agreed they would be *acting* as pilot-in-command.

Performing the duties of a safety pilot is a great way to build time and gain experience but it is important to log the flight time correctly, especially if you are building hours towards a career as a pilot. I hope this provides some clarity to a confusing area of the FAA regulations.

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References and additional information

In addition to numerous FAA regulations, the following legal interpretations were also consulted for this article.

1. See the Federal Register for the details of the Final Rule entitled "Medical Certification Standards for Commercial Balloon Operations" published 11/22/22.
2. According to the FAA legal interpretation issued to Rizner in 1991, a safety pilot is not required to have a complex or high performance endorsement.
3. The FAA legal interpretation issued to Beaty in 2013 states that a safety pilot is not required to have an instrument rating or be instrument current. Even though a safety pilot may log SIC time, they are not acting as second-in-command when the aircraft does not require two pilots.
4. In their response to Walker dated 2011, the FAA clarifies which pilots may log PIC time while flying in IMC. A pilot need not hold an instrument rating to log PIC or actual instrument time while operating in IMC. However, for the flight to be legal another pilot is required who does possess an instrument rating and is instrument current (and meets all the other requirements to act as pilot-in-command). If the first pilot is logging PIC time as the sole manipulator of the controls under §61.51(e)(1)(i), the second pilot may not log the time as PIC even though they are acting as pilot-in-command.
5. According to a legal interpretation issued to Gebhart in 2009, a person acting as a safety pilot for the simulated instrument portion of a cross-country flight may not log cross-country flight time because they are not a required flight crewmember for the entire flight.
6. The safety pilot is not required to pay a pro-rata share of the cost of the flight, and not doing so is not a violation of 14 CFR §61.113, according to the FAA's response to Roberts in 2012.

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SAFETY PILOT CHECKLIST

A safety pilot is required to operate in simulated instrument conditions per 14 CFR §91.109(c)(1).

Can you act as a safety pilot on this flight?

If you can answer yes to the following three questions you are eligible to act as a safety pilot.

- Do you hold an FAA Private, Commercial or ATP certificate?
- Are you rated in the same category and class as the aircraft to be flown?
- Do you hold a current FAA medical certificate (first, second or third class) per 14 CFR §61.3(c) or are you operating under 14 CFR Part 68 "BasicMed"?

Can you log PIC time?

If you can answer yes to all of the following questions you may log the simulated instrument portion of the flight as PIC time, per 14 CFR §61.51(e)(1)(iii).

- Do you hold a current FAA medical certificate (first, second or third class) per 14 CFR §61.3(c)?
- Do you have a current flight review?
- Do you have the required ratings and endorsements to fly the aircraft being used today (type rating, complex, high performance, tailwheel, pressurized, etc.), per 14 CFR §61.31?
- Are you willing to accept the responsibilities of acting as pilot-in-command as described in 14 CFR §91.3(a)?
- Has the flying pilot agreed that you will be acting as pilot-in-command during the time they will be flying under simulated instrument conditions?

If you answered "no" to any of the above questions you must log the time as second-in-command (SIC) under 14 CFR §61.51(f)(2).