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in command in operations conducted under part 121 of this chapter; and

(2) Applied for an airline transport pilot certificate, type rating, or both within the 60-day period from the date the person satisfactorily accomplished the requirements of paragraph (b)(1) for that airplane type.

(c) A person who holds a foreign pilot license and is applying for an equivalent U.S. pilot certificate on the basis of a Bilateral Aviation Safety Agreement and associated Implementation Procedures for Licensing may be considered to have met the applicable aeronautical experience, aeronautical knowledge, and areas of operation requirements of this part.

[Doc. No. 25910, 62 FR 16298, Apr. 4, 1997; Amdt. 61–103, 62 FR 40901, July 30, 1997; Amdt. 61–128, 76 FR 54107, Aug. 31, 2011; Amdt. 61–130, 78 FR 42374, July 15, 2013; Amdt. 61-144, 85 FR 10920, Feb. 25, 2020]

§ 61.73 Military pilots or former military pilots: Special rules.

(a) *General.* Except for a person who has been removed from flying status for lack of proficiency or because of a disciplinary action involving aircraft operations, a U.S. military pilot or former military pilot who meets the requirements of this section may apply, on the basis of his or her military pilot qualifications, for:

(1) A commercial pilot certificate with the appropriate aircraft category and class rating.

(2) An instrument rating with the appropriate aircraft rating.

(3) A type rating.

(b) *Military pilots and former military pilots in the U.S. Armed Forces.* A person who qualifies as a military pilot or former military pilot in the U.S. Armed Forces may apply for a pilot certificate and ratings under paragraph (a) of this section if that person—

(1) Presents evidentiary documents described under paragraphs (h)(1), (2), and (3) of this section that show the person's status in the U.S. Armed Forces.

(2) Has passed the military competency aeronautical knowledge test on the appropriate parts of this chapter for commercial pilot privileges and limitations, air traffic and general operating rules, and accident reporting rules.

(3) Presents official U.S. military records that show compliance with one of the following requirements—

(i) Before the date of the application, passing an official U.S. military pilot and instrument proficiency check in a military aircraft of the kind of aircraft category, class, and type, if class or type of aircraft is applicable, for the ratings sought; or

(ii) Before the date of application, logging 10 hours of pilot time as a military pilot in a U.S. military aircraft in the kind of aircraft category, class, and type, if a class rating or type rating is applicable, for the aircraft rating sought.

(c) *A military pilot in the Armed Forces of a foreign contracting State to the Convention on International Civil Aviation.* A person who is a military pilot in the Armed Forces of a foreign contracting State to the Convention on International Civil Aviation and is assigned to pilot duties in the U.S. Armed Forces, for purposes other than receiving flight training, may apply for a commercial pilot certificate and ratings under paragraph (a) of this section, provided that person—

(1) Presents evidentiary documents described under paragraph (h)(4) of this section that show the person is a military pilot in the Armed Forces of a foreign contracting State to the Convention on International Civil Aviation, and is assigned to pilot duties in the U.S. Armed Forces, for purposes other than receiving flight training.

(2) Has passed the military competency aeronautical knowledge test on the appropriate parts of this chapter for commercial pilot privileges and limitations, air traffic and general operating rules, and accident reporting rules.

(3) Presents official U.S. military records that show compliance with one of the following requirements:

(i) Before the date of the application, passed an official U.S. military pilot and instrument proficiency check in a military aircraft of the kind of aircraft category, class, or type, if class or type of aircraft is applicable, for the ratings; or

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(ii) Before the date of the application, logged 10 hours of pilot time as a military pilot in a U.S. military aircraft of the kind of category, class, and type of aircraft, if a class rating or type rating is applicable, for the aircraft rating.

(d) *Instrument rating.* A person who is qualified as a U.S. military pilot or former military pilot may apply for an instrument rating to be added to a pilot certificate if that person—

(1) Has passed an instrument proficiency check in the U.S. Armed Forces in the aircraft category for the instrument rating sought; and

(2) Has an official U.S. Armed Forces record that shows the person is instrument pilot qualified by the U.S. Armed Forces to conduct instrument flying on Federal airways in that aircraft category and class for the instrument rating sought.

(e) *Aircraft type rating.* An aircraft type rating may only be issued for a type of aircraft that has a comparable civilian type designation by the Administrator.

(f) *Aircraft type rating placed on an airline transport pilot certificate.* A person who is a military pilot or former military pilot of the U.S. Armed Forces and requests an aircraft type rating to be placed on an existing U.S. airline transport pilot certificate may be issued the rating at the airline transport pilot certification level, provided that person:

(1) Holds a category and class rating for that type of aircraft at the airline transport pilot certification level; and

(2) Has passed an official U.S. military pilot check and instrument proficiency check in that type of aircraft.

(g) *Flight instructor certificate and ratings.* A person who can show official U.S. military documentation of being a U.S. military instructor pilot or U.S. military pilot examiner, or a former instructor pilot or pilot examiner may apply for and be issued a flight instructor certificate with the appropriate ratings if that person:

(1) Holds a commercial or airline transport pilot certificate with the appropriate aircraft category and class rating, if a class rating is appropriate, for the flight instructor rating sought;

(2) Holds an instrument rating, or has instrument privileges, on the pilot certificate that is appropriate to the flight instructor rating sought; and

(3) Presents the following documents:

(i) A knowledge test report that shows the person passed a knowledge test on the aeronautical knowledge areas listed under §61.185(a) appropriate to the flight instructor rating sought and the knowledge test was passed within the preceding 24 calendar months prior to the month of application. If the U.S. military instructor pilot or pilot examiner already holds a flight instructor certificate, holding of a flight instructor certificate suffices for the knowledge test report.

(ii) An official U.S. Armed Forces record or order that shows the person is or was qualified as a U.S. Armed Forces military instructor pilot or pilot examiner for the flight instructor rating sought.

(iii) An official U.S. Armed Forces record or order that shows the person completed a U.S. Armed Forces' instructor pilot or pilot examiner training course and received an aircraft rating qualification as a military instructor pilot or pilot examiner that is appropriate to the flight instructor rating sought.

(iv) An official U.S. Armed Forces record or order that shows the person passed a U.S. Armed Forces instructor pilot or pilot examiner proficiency check in an aircraft as a military instructor pilot or pilot examiner that is appropriate to the flight instructor rating sought.

(h) *Documents for qualifying for a pilot certificate and rating.* The following documents are required for a person to apply for a pilot certificate and rating:

(1) An official U.S. Armed Forces record that shows the person is or was a military pilot.

(2) An official U.S. Armed Forces record that shows the person graduated from a U.S. Armed Forces undergraduate pilot training school and received a rating qualification as a military pilot.

(3) An official U.S. Armed Forces record that shows the pilot passed a pilot proficiency check and instrument proficiency check in an aircraft as a military pilot.

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(4) If a person is a military pilot in the Armed Forces from a foreign contracting State to the Convention on International Civil Aviation and is applying for a pilot certificate and rating, that person must present the following:

(i) An official U.S. Armed Forces record that shows the person is a military pilot in the U.S. Armed Forces;

(ii) An official U.S. Armed Forces record that shows the person is assigned as a military pilot in the U.S. Armed Forces for purposes other than receiving flight training;

(iii) An official record that shows the person graduated from a military undergraduate pilot training school from the Armed Forces from a foreign contracting State to the Convention on International Civil Aviation or from the U.S. Armed Forces, and received a qualification as a military pilot; and

(iv) An official U.S. Armed Forces record that shows that the person passed a pilot proficiency check and instrument proficiency check in an aircraft as a military pilot in the U.S. Armed Forces.

[Doc. No. FAA–2006–26661, 74 FR 42555, Aug. 21, 2009]

§ 61.75 Private pilot certificate issued on the basis of a foreign pilot license.

(a) *General.* A person who holds a foreign pilot license at the private pilot level or higher that was issued by a contracting State to the Convention on International Civil Aviation may apply for and be issued a U.S. private pilot certificate with the appropriate ratings if the foreign pilot license meets the requirements of this section.

(b) *Certificate issued.* A U.S. private pilot certificate issued under this section must specify the person's foreign license number and country of issuance. A person who holds a foreign pilot license issued by a contracting State to the Convention on International Civil Aviation may be issued a U.S. private pilot certificate based on the foreign pilot license without any further showing of proficiency, provided the applicant:

(1) Meets the requirements of this section;

(2) Holds a foreign pilot license, at the private pilot license level or higher, that does not contain a limitation stating that the applicant has not met all of the standards of ICAO for that license;

(3) Does not hold a U.S. pilot certificate other than a U.S. student pilot certificate;

(4) Holds a medical certificate issued under part 67 of this chapter or a medical license issued by the country that issued the person's foreign pilot license; and

(5) Is able to read, speak, write, and understand the English language. If the applicant is unable to meet one of these requirements due to medical reasons, then the Administrator may place such operating limitations on that applicant's pilot certificate as are necessary for the safe operation of the aircraft.

(c) *Aircraft ratings issued.* Aircraft ratings listed on a person's foreign pilot license, in addition to any issued after testing under the provisions of this part, may be placed on that person's U.S. pilot certificate for private pilot privileges only.

(d) *Instrument ratings issued.* A person who holds an instrument rating on the foreign pilot license issued by a contracting State to the Convention on International Civil Aviation may be issued an instrument rating on a U.S. pilot certificate provided:

(1) The person's foreign pilot license authorizes instrument privileges;

(2) Within 24 months preceding the month in which the person applies for the instrument rating, the person passes the appropriate knowledge test; and

(3) The person is able to read, speak, write, and understand the English language. If the applicant is unable to meet one of these requirements due to medical reasons, then the Administrator may place such operating limitations on that applicant's pilot certificate as are necessary for the safe operation of the aircraft.

(e) *Operating privileges and limitations.* A person who receives a U.S. private pilot certificate that has been issued under the provisions of this section:

(1) May act as pilot in command of a civil aircraft of the United States in

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