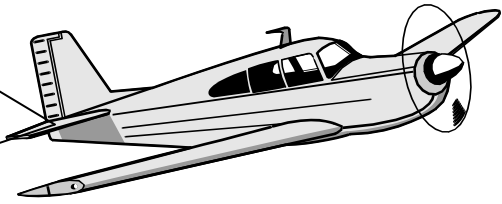


# SKYWRITING



August 2011

<b>July Flight Time</b>				<a href="http://www.flyingcc.org">www.flyingcc.org</a>	
<u>Aircraft</u>	<u>Hrs</u>	<u>Last Annual</u>	<u>Fuel Surcharge</u>	<b>Local ASOS Numbers</b>	
N5303L	15.9	August 2010	\$5.00/hour	Moline	309-799-7096
N80213	18.8	July 2010	\$6.00/hour	Davenport	563-388-2154
N6231F	0.0	June 2010	\$6.00/hour	Clinton	563-243-8934
N8114F	23.5	June 2010	\$7.00/hour	Muscatine	563-263-0902
N2516V	6.3	September 2010	\$8.00/hour	<b>Dues Paying Members: 47</b>	
<b>Total Hours: 64.5 (Up from 55.4 in June)</b>					

## Billing

Joe needed to be out of town at the turn of the month this billing cycle. Just to be clear on July's billing, your July bill includes July 1<sup>st</sup> to July 27<sup>th</sup>. Your August bill will include July 28<sup>th</sup> to August 31<sup>st</sup>. Thank you for your understanding.

## Fuel Prices

The fuel surcharge this month is based on Elliot's fuel price of \$6.60 per gallon.

## Aviation Seminar

This is an early reminder that Tim has arranged for AOPA to come to Moline to put on one of their national "Air Safety Institute" seminars. On Thursday, October 13<sup>th</sup> from 7:00pm – 9:00pm they will be at Elliot Aviation in one of their main hanger facilities. AOPA has a very strict attendance policy. They require a minimum of 120 attendees. These are great seminars and AOPA's willingness to return to Moline in the future is of great benefit to the pilots in this area!

The event will be on the FAASTEAM and AOPA websites. Pass the word on to any pilots and flying organizations you know. Please mark your calendar and plan to attend!

## I Was Just Wondering...

Rob,

I am confused about something. I am planning on training for my commercial pilot certificate. I thought that with this, you could charge people to take them places. But somebody told me I would have to have additional certifications. Please clarify.

~ Flying for Free

Dear Flying for Free,

Many people, both pilot and non-pilot alike, think that if a pilot has a commercial pilot certificate he or she can get paid for flying. However, the commercial pilot certificate alone does not grant the privilege of receiving compensation for flying under all circumstances. Commercial pilots must be clear on both the privileges and limitations of their airman certificate.

In many instances, a commercial operator certificate is also needed in order for the commercial pilot to be able to legally accept compensation, whether monetary or otherwise, for flying. If a commercial pilot receives compensation for flying persons or property for hire in the absence of a required commercial operator certificate, the pilot risks an enforcement action that could result in suspension or revocation of the pilot's commercial pilot certificate.

14 CFR 61.133 provides that "[a] person who holds a commercial pilot certificate may act as pilot in command of an aircraft (i) Carrying persons or property for compensation or hire, provided the person is qualified in accordance with this part and with the applicable parts of this chapter that apply to the operation; and (ii) For compensation or hire, provided the person is qualified in accordance with this part and with the applicable parts of this chapter that apply to the operation."

This language is broad and appears to authorize a commercial pilot to fly for compensation or hire with minimal limitation. But, before a commercial pilot accepts payment for his or her flying, further analysis is necessary to make sure that this privilege is not limited by some other part of the FAR's.

Further review of the FAR's leads to FAR Part 119 which states that a commercial operator certificate is required when a pilot operates a flight carrying persons or property for compensation or hire. The most common of these certificates are the Part 121 (airline) and Part 135 (on-demand charter) certificates. Although this rule appears to require a commercial operator certificate for all flight operations in which the commercial pilot is flying for compensation or hire, fortunately, this is not the case.

The Part 119 requirement for a commercial operator certificate is qualified. A variety of flight operations are specifically excluded from this certificate requirement. The exceptions include flight instruction, nonstop sightseeing flights, ferry or training flights, banner towing, seeding, spraying, and bird chasing, fire fighting and powerline or pipeline patrol, to name a few. A commercial pilot can receive compensation for these flight operations without having a commercial operator certificate.

Some of the opportunities, such as flight instruction, are fairly straightforward with respect to what is allowed and not allowed. Yet, even with flight instruction, a commercial pilot who is receiving compensation for flying must be certain that he or she is clearly operating within the parameters of FAR's relating the flight operation at hand. Quite often, the flight operation may be conducted within the "gray area" of the FAR's. In those situations, an experienced aviation attorney can help to clarify whether the commercial pilot's receipt of compensation is legal and consistent with the FAR's.

For a commercial pilot trying to build flight time to meet the minimum flight time requirements required under commercial operator certificates, the flight operations excluded from the commercial operator certificate requirement provide the opportunity for the commercial pilot to get paid while he or she is building flight time. In the absence of these exceptions, a commercial pilot trying to build flight time would be required to beg, borrow or buy the time.

In conclusion, a commercial pilot certificate grants a pilot the privilege of earning compensation in exchange for flying. However, this privilege is not as broad as it would first appear. While opportunities to legally fly for hire exist, without a commercial operator certificate

they are limited to certain specific operations. At the end of the day, commercial pilots need to be aware of the limitations placed upon the privilege of flying for hire in order to avoid situations that could compromise their commercial pilot certificate.

### **Humor in the Air**

An airline pilot wrote that on this particular flight he had hammered his ship into the runway really hard. The airline had a policy which required the first officer to stand at the door while the passengers exited, give a smile, and a "Thanks for flying XYZ airline." He said that in light of his bad landing, he had a hard time looking the passengers in the eye, thinking that someone would have a smart comment. Finally everyone had gotten off except for this little old lady walking with a cane. She said, "Sonny, mind if I ask you a question?" "Why no" said the pilot, Ma'am, what is it?" The little old lady said, "Did we land or were we shot down?"

# A Summer to FLY!

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**N6231F – Dick Kvach      N8114F – Tim Leinbach**  
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