



Keeping Up with the Jones (FAA's Changes)
by Richard Carlson SSF Chairman

In the summer of 2023 the FAA issued several Notices of Proposed Rule Making (NRPM) documents that impacted glider pilots and flight instructors. The Soaring Safety Foundation (SSF) led the SSA's government liaison team in responding to these notices. In October 2024 the FAA completed their comment review process and published the final rule changes in the Federal Register. Those regulatory changes went into effect December 1st or 2nd.

Changes effective December 1, 2024

These changes have a dramatic impact on all Flight Instructors. On this date the FAA will begin issuing Flight Instructor certificates **without** an expiration date. That's right, no more plastic CFI certificates sent to you in the mail following your renewal.

Instead the FAA has determined that your CFI privileges are renewed every 24 calendar months by demonstrating you have complied with the recent experience requirements listed in § 61.197(b) **AND** submitted a signed form 8710-1 (or 8710-11 for sport pilot instructors) to the FAA using IACRA or paper. This form must be approved by a person designated by the administrator to confirm the appropriate recent experience task has been completed before it can be submitted.

A review of § 61.197(b) shows the exact same options exist with one additional method added. This means that anything a CFI previously did to renew and obtain a new expiration dated certificate, now will be done to update their recent experience date. The FAA also formally noted that CFI's can use the WINGS program to demonstrate that they have met the recent experience requirement provided that a signed and approved form 8710-1 (or 8710-11) form is submitted to the FAA.

For example, if you complete a FIRC, you will receive a graduation certificate **AND** you will fill out and sign a 8710-1 (or 8710-11) form. The SSF FIRC has authorized representatives who can then approve that 8710-1 (or 8710-11) form and submit it to the FAA. Once this form has been received by the FAA, your renewal process has been completed and you are authorized to instruct for another 24 calendar months.

The downside is that your plastic CFI certificate no longer has a date telling you when to renew. You will have to remember, just like you remember when your flight review is due. Also, when you sign a students or pilots logbook, you will still enter the date that your next renewal is due so that may help active instructors remember.

One additional change has to do with reinstating an expired CFI certificate. Prior to this change, if your CFI certificate expired then you had to retake a practical test for one of your CFI ratings. Now you are given a three (3) month grace period during which you can complete a FIRC and your certificate will be reinstated. The changes also adds a new regulation, § 61.40, that provides relief to U.S. military and civilian personnel allowing them to use expired written test results when taking a practical test provided they were deployed overseas and unable to complete the practical test before the written test results expired.

Changes effective December 2, 2024



These changes will also have an impact on all Flight Instructors, along with some students or pilots seeking instruction.

The biggest change has to do with recent pilot experience for Flight Instructors. Most of us think of § 61.56 Flight Reviews when we think about recent experience. However, we can't forget that § 61.57 has additional requirements when you are not alone in the glider. Prior to this change § 61.57(a) stated that no person may act as PIC while carrying passengers in the aircraft unless they have made 3 takeoffs and landing within the preceding 90 days. Now, this statement changes the word 'passengers' to 'persons'. In addition § 61.1(b) now has a definition of 'passenger'.

Further, the FAA has determined that while Students and Flight Instructors are not passengers to each other, they are persons. Thus a Flight Instructor must be § 61.57(a) current when flying with a student or pilot who does not hold a rating for the aircraft they are instructing in. For example, a CFI flying with a student must have made 3 takeoffs and landings as the sole manipulator of the controls in a glider within the preceding 90 days. Dual instructional flights with the student **do not count!** The FAA has also rescinded several legal interpretations that allowed CFI's to fly dual with students even though they were not § 61.57(a) current. That is no longer true, so make sure you remain current!

The FAA did add a new paragraph (e)(5) to § 61.57 providing some exceptions to this requirement. However, neither of them apply to student or transition pilot training.

A second change was to formally recognize that flight instructors provide more than basic instruction to students. They perform flight reviews, transition training, or advanced instruction where a specific endorsement is needed. Prior to this change, those activities were implicit. Now they are explicitly written into the appropriate regulations.

The other pertinent change deals with flight training in experimental certificated gliders.

The FAA updated § 91.315 (limited category), § 91.319 (experimental category), and § 91.325 (primary category) to have common language regarding under what conditions flight training can be given. They then added § 91.326 to provide the specific details.

There are 2 options that a CFI and student/pilot can take before conducting flight training in an experimental glider.

The first option is for the CFI to obtain a Letter of Deviation Authority (LODA) from the FAA. § 91.326(b)(3) provides an explicit list of information that must be submitted to obtain this LODA. A LODA is unique to each individual student and situation.

The second option is to follow § 91.326(c) which basically says flight training may be given as long as the CFI does not receive compensation for the instruction, and this training is not broadly available to the general public. CFI's should carefully read § 91.326(c) to determine under what conditions training can be given without the need for a LODA.

Updates on additional regulatory changes will be posted if or when they occur.