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§ 61.16 Refusal to submit to an alcohol test or to furnish test results.

A refusal to submit to a test to indicate the percentage by weight of alcohol in the blood, when requested by a law enforcement officer in accordance with § 91.17(c) of this chapter, or a refusal to furnish or authorize the release of the test results requested by the Administrator in accordance with § 91.17(c) or (d) of this chapter, is grounds for:

- (a) Denial of an application for any certificate, rating, or authorization issued under this part for a period of up to 1 year after the date of that refusal; or
- (b) Suspension or revocation of any certificate, rating, or authorization issued under this part.

§ 61.17 Temporary certificate.

(a) A temporary pilot, flight instructor, or ground instructor certificate or rating is issued for up to 120 days, at which time a permanent certificate will be issued to a person whom the Administrator finds qualified under this part.

(b) A temporary pilot, flight instructor, or ground instructor certificate or rating expires:

- (1) On the expiration date shown on the certificate;
- (2) Upon receipt of the permanent certificate; or
- (3) Upon receipt of a notice that the certificate or rating sought is denied or revoked.

§ 61.19 Duration of pilot and instructor certificates.

(a) *General.* The holder of a certificate with an expiration date may not, after that date, exercise the privileges of that certificate.

(b) *Student pilot certificate.* A student pilot certificate expires 24 calendar months from the month in which it is issued.

(c) *Other pilot certificates.* A pilot certificate (other than a student pilot certificate) issued under this part is issued without a specific expiration date. The holder of a pilot certificate issued on the basis of a foreign pilot license may exercise the privileges of that certificate only while that person's foreign pilot license is effective.

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(d) *Flight instructor certificate.* A flight instructor certificate:

(1) Is effective only while the holder has a current pilot certificate; and

(2) Except as specified in § 61.197(b) of this part, expires 24 calendar months from the month in which it was issued or renewed.

(e) *Ground instructor certificate.* A ground instructor certificate issued under this part is issued without a specific expiration date.

(f) *Surrender, suspension, or revocation.* Any certificate issued under this part ceases to be effective if it is surrendered, suspended, or revoked.

(g) *Return of certificates.* The holder of any certificate issued under this part that has been suspended or revoked must return that certificate to the FAA when requested to do so by the Administrator.

§ 61.21 Duration of a Category II and a Category III pilot authorization (for other than part 121 and part 135 use).

(a) A Category II pilot authorization or a Category III pilot authorization expires at the end of the sixth calendar month after the month in which it was issued or renewed.

(b) Upon passing a practical test for a Category II or Category III pilot authorization, the authorization may be renewed for each type of aircraft for which the authorization is held.

(c) A Category II or Category III pilot authorization for a specific type aircraft for which an authorization is held will not be renewed beyond 12 calendar months from the month the practical test was accomplished in that type aircraft.

(d) If the holder of a Category II or Category III pilot authorization passes the practical test for a renewal in the month before the authorization expires, the holder is considered to have passed it during the month the authorization expired.

§ 61.23 Medical certificates: Requirement and duration.

(a) *Operations requiring a medical certificate.* Except as provided in paragraph (b) of this section, a person:

(1) Must hold a first-class medical certificate when exercising the privileges of an airline transport pilot certificate;

(2) Must hold at least a second-class medical certificate when exercising the privileges of a commercial pilot certificate; or

(3) Must hold at least a third-class medical certificate—

(i) When exercising the privileges of a private pilot certificate;

(ii) When exercising the privileges of a recreational pilot certificate;

(iii) Except as specified in paragraph (b)(3) of this section, when exercising the privileges of a student pilot certificate;

(iv) When exercising the privileges of a flight instructor certificate, except for a flight instructor certificate with a glider category rating, if the person is acting as the pilot in command or is serving as a required pilot flight crewmember; or

(v) Except for a glider category rating or a balloon class rating, prior to taking a practical test that is performed in an aircraft for a certificate or rating at the recreational, private, commercial, or airline transport pilot certificate level.

(b) *Operations not requiring a medical certificate.* A person is not required to hold a medical certificate:

(1) When exercising the privileges of a pilot certificate with a glider category rating;

(2) When exercising the privileges of a pilot certificate with a balloon class rating;

(3) When exercising the privileges of a student pilot certificate while seeking a pilot certificate with a glider category rating or balloon class rating;

(4) When exercising the privileges of a flight instructor certificate with a glider category rating;

(5) When exercising the privileges of a flight instructor certificate if the person is not acting as pilot in command or serving as a required pilot flight crewmember;

(6) When exercising the privileges of a ground instructor certificate;

(7) When serving as an examiner or check airman during the administration of a test or check for a certificate, rating, or authorization conducted in a

flight simulator or flight training device; or

(8) When taking a test or check for a certificate, rating, or authorization conducted in a flight simulator or flight training device.

(c) *Duration of a medical certificate.* (1) A first-class medical certificate expires at the end of the last day of—

(i) The sixth month after the month of the date of examination shown on the certificate for operations requiring an airline transport pilot certificate;

(ii) The 12th month after the month of the date of examination shown on the certificate for operations requiring a commercial pilot certificate or an air traffic control tower operator certificate; and

(iii) The period specified in paragraph (c)(3) of this section for operations requiring a recreational pilot certificate, a private pilot certificate, a flight instructor certificate (when acting as pilot in command or a required pilot flight crewmember in operations other than glider or balloon), or a student pilot certificate.

(2) A second-class medical certificate expires at the end of the last day of—

(i) The 12th month after the month of the date of examination shown on the certificate for operations requiring a commercial pilot certificate or an air traffic control tower operator certificate; and

(ii) The period specified in paragraph (c)(3) of this section for operations requiring a recreational pilot certificate, a private pilot certificate, a flight instructor certificate (when acting as pilot in command or a required pilot flight crewmember in operations other than glider or balloon), or a student pilot certificate.

(3) A third-class medical certificate for operations requiring a recreational pilot certificate, a private pilot certificate, a flight instructor certificate (when acting as pilot in command or a required pilot flight crewmember in operations other than glider or balloon), or a student pilot certificate issued—

(i) Before September 16, 1996, expires at the end of the 24th month after the month of the date of examination shown on the certificate; or

(ii) On or after September 16, 1996, expires at the end of:

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(A) The 36th month after the month of the date of the examination shown on the certificate if the person has not reached his or her 40th birthday on or before the date of examination; or

(B) The 24th month after the month of the date of the examination shown on the certificate if the person has reached his or her 40th birthday on or before the date of the examination.

[Doc. No. 25910, 62 FR 16298, Apr. 4, 1997; Amdt. 61-103, 62 FR 40895, July 30, 1997]

§ 61.25 Change of name.

(a) An application to change the name on a certificate issued under this part must be accompanied by the applicant's:

- (1) Current airman certificate; and
- (2) A copy of the marriage license, court order, or other document verifying the name change.

(b) The documents in paragraph (a) of this section will be returned to the applicant after inspection.

§ 61.27 Voluntary surrender or exchange of certificate.

(a) The holder of a certificate issued under this part may voluntarily surrender it for:

- (1) Cancellation;
- (2) Issuance of a lower grade certificate; or
- (3) Another certificate with specific ratings deleted.

(b) Any request made under paragraph (a) of this section must include the following signed statement or its equivalent: "This request is made for my own reasons, with full knowledge that my (insert name of certificate or rating, as appropriate) may not be re-issued to me unless I again pass the tests prescribed for its issuance."

§ 61.29 Replacement of a lost or destroyed airman or medical certificate or knowledge test report.

(a) A request for the replacement of a lost or destroyed airman certificate issued under this part must be made by letter to the Department of Transportation, FAA, Airman Certification Branch, P.O. Box 25082, Oklahoma City, OK 73125, and must be accompanied by a check or money order for the appropriate fee payable to the FAA.

(b) A request for the replacement of a lost or destroyed medical certificate must be made by letter to the Department of Transportation, FAA, Aeromedical Certification Branch, P.O. Box 25082, Oklahoma City, OK 73125, and must be accompanied by a check or money order for the appropriate fee payable to the FAA.

(c) A request for the replacement of a lost or destroyed knowledge test report must be made by letter to the Department of Transportation, FAA, Airman Certification Branch, P.O. Box 25082, Oklahoma City, OK 73125, and must be accompanied by a check or money order for the appropriate fee payable to the FAA.

(d) The letter requesting replacement of a lost or destroyed airman certificate, medical certificate, or knowledge test report must state:

- (1) The name of the person;
- (2) The permanent mailing address (including ZIP code), or if the permanent mailing address includes a post office box number, then the person's current residential address;
- (3) The social security number;
- (4) The date and place of birth of the certificate holder; and
- (5) Any available information regarding the—
 - (i) Grade, number, and date of issuance of the certificate, and the ratings, if applicable;
 - (ii) Date of the medical examination, if applicable; and
 - (iii) Date the knowledge test was taken, if applicable.

(e) A person who has lost an airman certificate, medical certificate, or knowledge test report may obtain a facsimile from the FAA Aeromedical Certification Branch or the Airman Certification Branch, as appropriate, confirming that it was issued and the:

- (1) Facsimile may be carried as an airman certificate, medical certificate, or knowledge test report, as appropriate, for up to 60 days pending the person's receipt of a duplicate under paragraph (a), (b), or (c) of this section, unless the person has been notified that the certificate has been suspended or revoked.
- (2) Request for such a facsimile must include the date on which a duplicate