

When Do You Need A 100 Hour Inspection? +Quiz

By [Aleks Udris](#) | 05/13/2014



Jim Sher



When do you need a 100 hour inspection? If you rent, you may think that it's always required. But often - it's not. So, if you're thinking "isn't renting 'for hire,' and don't you need a 100 hour inspection when the plane's for hire?!?," read on.

Most people err on the side of caution with this inspection - they assume it's required when it's not. And, when you ask a pilot when it's required, you'll usually hear "when you're operating for hire."

But that's not actually what the reg says - and what's left out is really important.

What Do The FARs Say?

First, everything you need to know is laid out in [FAR 91.409\(b\)](#) - and here's what it says:

*Except as provided in paragraph (c) of this section, no person may operate an aircraft **carrying any person (other than a crew member) for hire**, and no person may **give flight instruction for hire in an aircraft which that person provides**, unless within the preceding 100 hours of time in service the aircraft has received an annual or 100-hour inspection and been approved for return to service in accordance with part 43 of this chapter or has received an inspection for the issuance of an airworthiness certificate in accordance with part 21 of this chapter. The 100-hour limitation may be exceeded by not more than 10 hours while en route to reach a place where the inspection can be done. The excess time used to reach a place where the inspection can be done must be included in computing the next 100 hours of time in service.*

I've added emphasis to two items: "carrying any person (other than a crew member) for hire" and "give flight instruction for hire in an aircraft which that person provides."

Let's forget about the flight instruction part for a second - the first part says you need a 100 hour inspection when you're carrying a passenger for hire. In fact, it emphasizes that another crew member doesn't count.

Renting Doesn't Mean "For Hire"

Renting doesn't mean you're carrying passengers for hire. In fact, you'll be hard pressed to find a rule in FAR Part 91 that specifically addresses "renting" a small airplane. (Some people try to pull in leasing requirements from FAR Part 135, or large aircraft and turbine requirements - but those don't apply to a small plane like a single-engine Cessna.)

Simply put, if you rent an airplane and share the cost pro-rata with your friends (like a private pilot can), you're not carrying passengers for hire. You don't need a 100 hour inspection. In fact, private pilots rarely need a 100 hour inspection; because, in general, they're *barred from flying for compensation or hire*.

Flight Instruction - Do You Need A 100 Hour?

What about flight instruction? If the instructor's providing the airplane, then the regulation applies. But - what's that mean?

If the flight instructor works for the FBO that rents you the plane, then you need the 100 hour inspection. If the instructor personally owns the plane, then you need a 100 hour inspection. But what happens if you rent the plane from a club or FBO, and your friend (not associated with the club or FBO) instructs?

You can follow a three-part test to decide if a 100 hour inspection is required:

- The flight instructor should not work for, or have a contractual relationship with, the FBO or club.
- The FBO or club should not recommend the instructor or give him/her preference in any way.
- You must be able to choose any instructor - regardless of whether or not they're a club member.

If any of these points are broken, you need a 100 hour inspection. The flight instruction rules can get sticky when you deal with clubs, so you may want to get an interpretation from the FAA's legal counsel if you want to instruct in a club airplane that doesn't receive 100 hour inspections.

Ok - feeling ready to take a test? Take a look at these scenarios, and decide whether a 100 hour inspection is required. Remember, ask yourself:

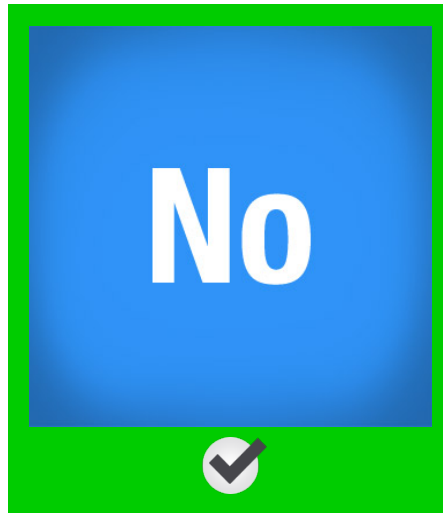
- Am I carrying a passenger for hire?
- Am I receiving or giving flight instruction in an airplane that the instructor provides?

1) You rent a Cessna 172 from a small FBO and fly with your friends who split the cost pro-rata. Do you need a 100 hour inspection?



John Lichtenhan

Awesome! You don't need a 100 hour inspection, because you're not carrying passengers for hire.

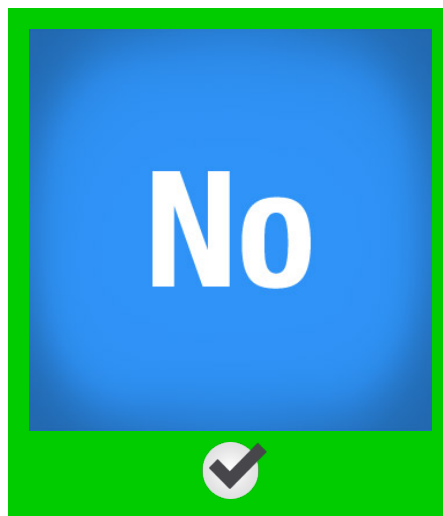


2) You're renting from a flying club that doesn't provide instructors. Your friend, a CFI who's not a member of the club, gives you instruction. Do you need a 100 hour?



Jim Sher

Awesome! You don't need a 100 hour inspection because the club's not providing the instructor.

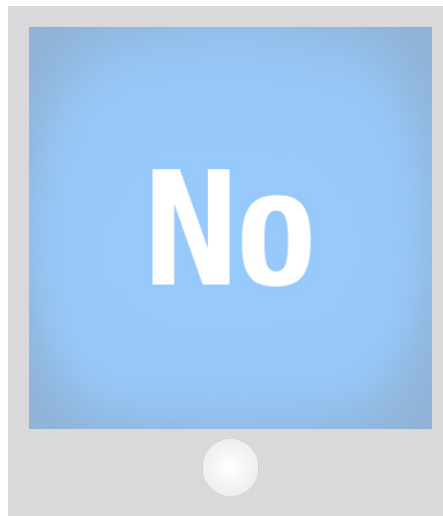


3) Your friend gives you instruction in his plane for \$80 hour. Do you need a 100 hour?



Maurizio Pucci

Awesome! You do need a 100 hour inspection, because your friend - the instructor you hired - is providing the plane.

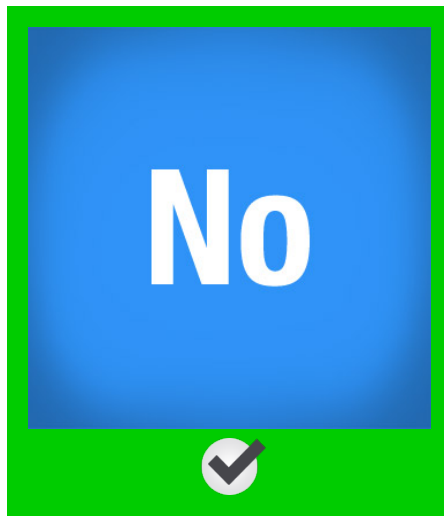


4) You're a commercial pilot flying pipeline patrol in a Cessna 206. You fly the route solo. Do you need a 100 hour inspection?



Josh Beasley

Awesome! You don't need a 100 hour inspection, because while you're flying for hire, you're not carrying passengers.

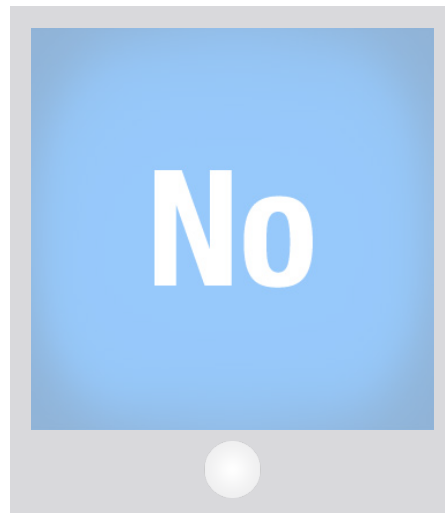


5) You're a commercial pilot flying an aerial photographer on a photo shoot. Do you need a 100 hour inspection?



UK Ministry of Defence

Awesome! You need a 100 hour inspection because you're flying for hire and carrying a passenger (who's not a crew member).



Do You Need a 100 Hour Inspection?

You Scored 100%!

Got the hang of it? Share this post - let your friends know when a 100 hour inspection *really* is required.