

The new version of 61.3 does not seem to adequately address the case of a US registered aircraft being temporarily based in a foreign country. In particular, as the new rule applies to "US registered aircraft" as opposed to "US registered aircraft while being operated in the US", it imposes the same photo ID requirements on US aircraft being operated solely in another country. As an example, consider a US registered aircraft being operated solely in Japan. Under the old rule, a Japanese citizen holding a Japanese issued pilot license and medical certificate would be able to operate that aircraft. Under the new rule, the Japanese citizen would not be able to use his/her drivers license to satisfy the photo ID requirement since 61.3(a)(1)(i) requires that the driver's license be US issued. The only photo ID options available to the Japanese citizen are "61.3(a)(2)(iv) official passport" (if a non-US passport is acceptable here), and "61.3(a)(2)(vi) Other form of identification that the Administrator finds acceptable". This in effect forces foreign pilots operating a US aircraft solely in their home country to obtain and carry a passport. While this really may be the intent of the rule, it seems more likely that it is an unintended side-effect.