

§ 21.50

§ 21.50 Instructions for continued airworthiness and manufacturer's maintenance manuals having airworthiness limitations sections.

(a) The holder of a type certificate for a rotorcraft for which a Rotorcraft Maintenance Manual containing an "Airworthiness Limitations" section has been issued under § 27.1529 (a)(2) or § 29.1529 (a)(2) of this chapter, and who obtains approval of changes to any replacement time, inspection interval, or related procedure in that section of the manual, shall make those changes available upon request to any operator of the same type of rotorcraft.

(b) The holder of a design approval, including either the type certificate or supplemental type certificate for an aircraft, aircraft engine, or propeller for which application was made after January 28, 1981, shall furnish at least one set of complete Instructions for Continued Airworthiness, prepared in accordance with §§ 23.1529, 25.1529, 27.1529, 29.1529, 31.82, 33.4, or 35.4 of this chapter, or as specified in the applicable airworthiness criteria for special classes of aircraft defined in § 21.17(b), as applicable, to the owner of each type of aircraft, aircraft engine, or propeller upon its delivery, or upon issuance of the first standard airworthiness certificate for the affected aircraft, whichever occurs later, and thereafter make those instructions available to any other person required by this chapter to comply with any of the terms of these instructions. In addition, changes to the Instructions for Continued Airworthiness shall be made available to any person required by this chapter to comply with any of those instructions.

[Amdt. No. 21-23, 33 FR 14105, Sept. 18, 1968, as amended by Amdt. No 21-51, 45 FR 60170, Sept. 11, 1980; Amdt. 21-60, 52 FR 8042, Mar. 13, 1987]

§ 21.51 Duration.

A type certificate is effective until surrendered, suspended, revoked, or a termination date is otherwise established by the Administrator.

§ 21.53 Statement of conformity.

(a) Each applicant must submit a statement of conformity (FAA Form 317) to the Administrator for each aircraft engine and propeller presented to

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the Administrator for type certification. This statement of conformity must include a statement that the aircraft engine or propeller conforms to the type design therefor.

(b) Each applicant must submit a statement of conformity to the Administrator for each aircraft or part thereof presented to the Administrator for tests. This statement of conformity must include a statement that the applicant has complied with § 21.33(a) (unless otherwise authorized under that paragraph).

[Amdt. 21-17, 32 FR 14926, Oct. 28, 1967]

Subpart C—Provisional Type Certificates

SOURCE: Docket No. 5085, 29 FR 14566, Oct. 24, 1964, unless otherwise noted.

§ 21.71 Applicability.

This subpart prescribes—

(a) Procedural requirements for the issue of provisional type certificates, amendments to provisional type certificates, and provisional amendments to type certificates; and

(b) Rules governing the holders of those certificates.

§ 21.73 Eligibility.

(a) Any manufacturer of aircraft manufactured within the United States who is a United States citizen may apply for Class I or Class II provisional type certificates, for amendments to provisional type certificates held by him, and for provisional amendments to type certificates held by him.

(b) Any manufacturer of aircraft manufactured in a foreign country with which the United States has an agreement for the acceptance of those aircraft for export and import may apply for a Class II provisional type certificate, for amendments to provisional type certificates held by him, and for provisional amendments to type certificates held by him.

(c) An aircraft engine manufacturer who is a United States citizen and who has altered a type certificated aircraft by installing different type certificated aircraft engines manufactured by him within the United States may apply for a Class I provisional type certificate

for the aircraft, and for amendments to Class I provisional type certificates held by him, if the basic aircraft, before alteration, was type certificated in the normal, utility, acrobatic, commuter, or transport category.

[Doc. No. 5085, 29 FR 14566, Oct. 24, 1964, as amended by Amdt. 21-12, 31 FR 13380, Oct. 15, 1966; Amdt. 21-59, 52 FR 1836, Jan. 15, 1987]

§21.75 Application.

Applications for provisional type certificates, for amendments thereto, and for provisional amendments to type certificates must be submitted to the Manager of the Aircraft Certification Office for the geographic area in which the applicant is located (or in the case of European, African, Middle East Region, the Manager, Aircraft Engineering Division), and must be accompanied by the pertinent information specified in this subpart.

[Amdt. 21-67, 54 FR 39291, Sept. 25, 1989]

§21.77 Duration.

(a) Unless sooner surrendered, superseded, revoked, or otherwise terminated, provisional type certificates and amendments thereto are effective for the periods specified in this section.

(b) A Class I provisional type certificate is effective for 24 months after the date of issue.

(c) A Class II provisional type certificate is effective for twelve months after the date of issue.

(d) An amendment to a Class I or Class II provisional type certificate is effective for the duration of the amended certificate.

(e) A provisional amendment to a type certificate is effective for six months after its approval or until the amendment of the type certificate is approved, whichever is first.

[Doc. No. 5085, 29 FR 14566, Oct. 24, 1964 as amended by Amdt. 21-7, 30 FR 14311, Nov. 16, 1965]

§21.79 Transferability.

Provisional type certificates are not transferable.

§21.81 Requirements for issue and amendment of Class I provisional type certificates.

(a) An applicant is entitled to the issue or amendment of a Class I provisional type certificate if he shows compliance with this section and the Administrator finds that there is no feature, characteristic, or condition that would make the aircraft unsafe when operated in accordance with the limitations established in paragraph (e) of this section and in §91.317 of this chapter.

(b) The applicant must apply for the issue of a type or supplemental type certificate for the aircraft.

(c) The applicant must certify that—

(1) The aircraft has been designed and constructed in accordance with the airworthiness requirements applicable to the issue of the type or supplemental type certificate applied for;

(2) The aircraft substantially meets the applicable flight characteristic requirements for the type or supplemental type certificate applied for; and

(3) The aircraft can be operated safely under the appropriate operating limitations specified in paragraph (a) of this section.

(d) The applicant must submit a report showing that the aircraft had been flown in all maneuvers necessary to show compliance with the flight requirements for the issue of the type or supplemental type certificate applied for, and to establish that the aircraft can be operated safely in accordance with the limitations contained in this subchapter.

(e) The applicant must establish all limitations required for the issue of the type or supplemental type certificate applied for, including limitations on weights, speeds, flight maneuvers, loading, and operation of controls and equipment unless, for each limitation not so established, appropriate operating restrictions are established for the aircraft.

(f) The applicant must establish an inspection and maintenance program for the continued airworthiness of the aircraft.

(g) The applicant must show that a prototype aircraft has been flown for at