

FEDERAL AVIATION AGENCY
FLIGHT STANDARDS SERVICE
Washington 25, D. C.

December 1, 1961

CIVIL AIR REGULATIONS DRAFT RELEASE NO. 61-26

SUBJECT: Performance of Maintenance by an Air Carrier on Other
Than Air Carrier Aircraft

The Flight Standards Service of the Federal Aviation Agency has under consideration amendments to Parts 18 and 43 of the Civil Air Regulations to permit appropriately certificated air carriers to perform fixed-base and en route maintenance, and 100-hour, periodic, and progressive inspections on any aircraft of a type for which they are equipped. The reasons therefor are set forth in the explanatory statement of the attached proposal which was published today in the Federal Register as a notice of proposed rule making.

The Flight Standards Service desires that all persons who will be affected by the requirements of this proposal be fully informed as to its effect upon them and is therefore circulating copies in order to afford interested persons ample opportunity to submit comments as they may desire.

Because of the large number of comments which we anticipate receiving in response to this draft release, we will be unable to acknowledge receipt of each reply. However, you may be assured that all comment will be given careful consideration.

It should be noted that comments should be submitted in duplicate to the Docket Section of the Federal Aviation Agency on or before February 8, 1962. Thereafter, such comments will be available in the Docket Section to all interested persons, and an additional period will be allowed for submission of further comments in response thereto. In order to insure consideration, such additional comments must be received on or before March 12, 1962.


Director,
Flight Standards Service

**FEDERAL AVIATION AGENCY
FLIGHT STANDARDS SERVICE**

[14 CFR Parts 18, 43]

[Reg. Docket 984; Draft Release No. 61-26]

NOTICE OF PROPOSED RULE MAKING

**Performance of Maintenance by an Air Carrier on Other Than
Air Carrier Aircraft**

Pursuant to the authority delegated to me by the Administrator (14 CFR 405.27), notice is hereby given that there is under consideration a proposal to amend Parts 18 and 43 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room C-226, 1711 New York Avenue, N.W., Washington 25, D.C., on or before Feb. 8, 1962. Thereafter, such comments will be available in the Docket Section to all interested persons. After examination of the original comments received, interested persons may submit such additional comments in response thereto as they may desire. Such additional comments must be submitted on or before March 12, 1962. (Photostatic copies of comments on file in the Docket Section may be obtained upon payment of the cost of such copies.) All original comments and additional comments in response thereto received by the dates specified for receipt thereof will be considered by the Administrator before taking action on the proposed rules. The proposals contained in this notice may be changed in the light of comments received.

Persons engaged in executive flying activities operating large transport type piston- and turbine-powered aircraft are experiencing difficulty in obtaining continuing maintenance support for their aircraft throughout the country in a manner they believe to be essential to safety. While there are several qualified certificated repair stations throughout the states, which can perform the necessary maintenance at a fixed location, such agencies are not always able to provide continuing maintenance support during the time the aircraft is being operated away from such fixed location.

There are a number of air carrier main base and en route maintenance facilities located throughout the country which are equipped to handle the transport type aircraft being used in executive operations. The use of these facilities together with the facilities of certificated repair stations could provide the maintenance support, including progressive inspections, needed

by the executive operators. However, under the currently effective provisions of Part 18 of the Civil Air Regulations, appropriately certificated air carriers are not authorized to perform maintenance work on other than air carrier aircraft. Furthermore, the regulations do not authorize such air carriers to perform 100-hour, periodic, or progressive inspections on aircraft requiring these services. In order to do this type of work, air carriers are required to obtain repair station certificates in accordance with Part 52 of the Civil Air Regulations. While some air carriers have obtained repair station certificates to work on other than air carrier aircraft, others have not. This may be due to the fact that an air carrier is not required to hold a repair station certificate to work on his own or another air carrier's aircraft, and until recently, transport type aircraft were operated almost exclusively by air carriers. The maintenance requirements contained in Parts 40, 41, 42, and 46 of the Civil Air Regulations presently require air carriers to establish maintenance facilities, organizations, and practices which, in effect, are comparable to those required of a certificated repair station. Additionally, it appears that nothing significant in the way of safety or improved maintenance would be achieved by requiring an air carrier to obtain a repair station certificate to conduct maintenance on any aircraft of a type for which it is equipped and approved to maintain under its air carrier operating certificate. However, it appears that safety would be promoted if the facilities of air carriers also could be made available as a supplement to those facilities now provided by repair stations for maintaining transport type aircraft operated by persons other than air carriers.

The rules proposed herein would authorize an appropriately certificated air carrier to perform maintenance, repairs, and alterations on aircraft of a type operated by the air carrier and maintained under its approved continuous airworthiness maintenance and inspection program. Such authorization would include performance of the required 100-hour, periodic, and progressive inspections. In order to implement this proposal, it would be necessary to make concurrent amendments to the provisions of §§ 18.21-1,

18.22-2, 18.23-1, 18.30-18, 18.30-19, and 43.22-2 to insert the word "air carrier" where appropriate.

In consideration of the foregoing, it is proposed to amend Parts 18 and 43 of the Civil Air Regulations as follows:

1. By amending § 18.10(e) of Part 18 by adding a new sentence at the end thereof to read as follows: "In addition, an appropriately certificated air carrier who has the proper equipment and facilities may perform maintenance, repairs, and alterations on other aircraft or aircraft components, including propellers and appliances, if such aircraft, aircraft components, propellers, and appliances are of a type operated and maintained by the air carrier under its approved maintenance and inspection program."

2. By amending § 18.12(a), (b), and (c) by adding new subparagraphs (4) to read as follows:

(4) An appropriately certificated air carrier if the aircraft is of a type operated and maintained by the air carrier under its approved maintenance and inspection program.

3. By deleting the Note at the end of § 18.12.

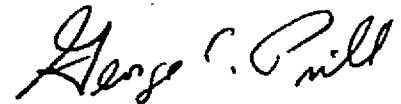
4. By amending §§ 18.21-1 and 18.22-2 by deleting the phrases "certificated repair station or the manufacturer", "repair station or manufacturer", and "certificated repair stations and manufacturers" as they appear in these sections and inserting in lieu thereof the phrases "certificated repair station, air carrier,

or the manufacturer", "repair station, air carrier, or manufacturer", and "certificated repair stations, air carriers, and manufacturers", respectively.

5. By amending §§ 18.23-1, 18.30-18, and 18.30-19 by deleting the phrases "mechanic, repair station, or aircraft manufacturer", "mechanic, repair station or manufacturer", "mechanic, repair station or the manufacturer", "repair station's or manufacturer's", and "certificated mechanic, or repair station, or the manufacturer" as they appear in these sections and inserting in lieu thereof the phrases, "mechanic, repair station, air carrier, or aircraft manufacturer", "mechanic, repair station, air carrier or manufacturer", "mechanic, repair station, air carrier or the manufacturer", "repair station's, air carrier's or manufacturer's", and "certificated mechanic, or repair station, or air carrier, or manufacturer", respectively.

6. By amending § 43.22-2 of Part 43 by deleting the phrase, "mechanic, and airframe repair station, or the manufacturer" as it appears in this section and inserting in lieu thereof the phrase, "mechanic, and airframe repair station, air carrier, or the manufacturer".

These amendments are proposed under the authority of sections 313(a), 601, 605 of the Federal Aviation Act of 1958, (72 Stat. 752, 775, 778; 49 U.S.C. 1354(a), 1421, 1425).



Director,
Flight Standards Service

Issued in Washington, D.C., on December 1, 1961.