

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Adminis- tration, Department of Transporta- tion

[Docket No. 8009 Amdts. 65-11; 121-31]

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEM- BERS

PART 121—CERTIFICATION AND OP- ERATIONS DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Employment of Repairmen by Com- mercial Operators To Perform Maintenance

The purpose of these amendments to Parts 65 and 121 of the Federal Aviation Regulations is to permit a commercial operator certificated under Part 121 of the Federal Aviation Regulations to (1) employ a repairman to perform or supervise maintenance, preventive maintenance, and alterations on aircraft or components thereof, and (2) perform maintenance for, and have maintenance performed by other Part 121 certificate holders. This amendment was proposed as a notice of proposed rule making (Notice 67-8) issued on March 6, 1967, and published in the FEDERAL REGISTER on March 19, 1967 (32 F.R. 3946).

Consideration was given and an evaluation made of each of the six comments that were received in response to the notice. Two of the comments generally favored the proposal while four were opposed to it. Those comments in opposition expressed concern principally in two areas. First, that the adoption of the amendment, by permitting repairmen to be used by commercial operators, would lower maintenance standards. Secondly, that the extension of the privilege for use of repairmen to commercial operators would have a deteriorating effect by lowering the standards for persons to obtain repairman or A and P mechanic certificates.

The repairman certificate is issued by the FAA for specific duties requested and then only after substantiation of individual technical ability and background. The maintenance requirements in the regulations are the same for the air carrier and commercial operator, and both the air carrier and the commercial operator must comply with these maintenance requirements in order to retain their operating certificate. Permit-

ting the commercial operator to use repairmen will enable the performance of maintenance for which the commercial operator is primarily responsible but which it has been precluded from doing. As the requirements for maintenance and compliance are unchanged, the standard of maintenance should not be lowered.

A misunderstanding of the effect of the amendment is evidenced by those comments that express concern that the use of repairmen by commercial operators will lower the standards of a repairman certificate or an A and P mechanic certificate. The same qualifications will be required of a repairman for a commercial operator as are now required to certificate a repairman for a repair station or air carrier. Furthermore, past experience with the repairman certificate does not support the contention that extending the use of repairmen to commercial operators will tend to have the repairman used in lieu of the A and P certificated mechanic. The repairman certificate was initiated for the purpose of enabling repair stations and air carriers to have certificated coverage in facilities engaged in the maintenance of components and appliances where it is not necessary or practical to utilize the services of persons holding an A and P certificate. A further purpose was to enable the performance of major repairs or alterations of propellers and any repairs or alterations of instruments that Part 65 prohibits an A and P mechanic from performing. The amendment will extend to the commercial operator as well as the repair station and air carrier the privilege of using repairmen but with the purpose and standards for certificating repairmen remaining unchanged.

As stated in the notice, the commercial operator is required under Part 121 to perform maintenance under the same standards as the air carrier. The amendment will permit the commercial operator to carry out, in the same manner as the air carrier, its primary responsibility for maintenance, including all methods, techniques and practices, and for the competency of the airmen doing that work.

In consideration of the foregoing and for the reasons stated in Notice 67-8, Part 65 and Part 121 of the Federal Aviation Regulations are amended, effective October 27, 1967 as follows:

1. Paragraphs (c) and (f) of § 65.101 are amended to read as follows:

§ 65.101 Eligibility requirements: general.

(c) Be employed for a specific job requiring those special qualifications by a

certificated repair station, or by a certificated commercial operator or certificated air carrier, that is required by its operating certificate or approved operations specifications to provide a continuous airworthiness maintenance program according to its maintenance manuals;

(f) Be able to read, write, speak, and understand the English language, or, in the case of an applicant who does not meet this requirement and who is employed outside the United States by a certificated repair station, a certificated U.S. commercial operator, or a certificated U.S. air carrier, described in paragraph (c) of this section, have his certificate endorsed "Valid only outside the United States."

2. Section 65.103 is amended to read as follows:

§ 65.103 Repairman certificate: privileges and limitations.

(a) A certificated repairman may perform or supervise the maintenance of aircraft or components thereof, appropriate to the job for which he was employed and certificated, but only in connection with duties for the repair station, commercial operator, or air carrier, by whom he was employed and recommended.

(b) A certificated repairman may not perform or supervise duties under his certificate unless he understands the current instructions of the air carrier, commercial operator, or manufacturer of the article on which he is to perform or supervise those duties and the maintenance manuals relating to the specific operations concerned.

3. Paragraph (a) of § 121.379 is amended to read as follows:

§ 121.379 Authority to perform and approve maintenance, preventive maintenance, and alterations.

(a) A certificate holder may perform maintenance, preventive maintenance, and alterations as provided in its continuous airworthiness maintenance program and its maintenance manual. In addition, a certificate holder may perform these functions for another certificate holder as provided in the continuous airworthiness maintenance program and maintenance manual of the other certificate holder.

(Sec. 313(a), 601, and 604 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1422)

Issued in Washington, D.C., on September 20, 1967.

WILLIAM F. MCKEE,
Administrator.

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