

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Adminis- tration, Department of Transportation

[Docket No. 10289; Amdt. Nos. 121-69 and
127-21]

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

PART 127—CERTIFICATION AND OP- ERATIONS OF SCHEDULED AIR CAR- RIERS WITH HELICOPTERS

Maintenance, Preventive Main- tenance, and Alterations

The purpose of these amendments to Parts 121 and 127 of the Federal Aviation Regulations is to authorize holders of certificates issued under those parts to approve and return to service aircraft, airframes, aircraft engines, propellers, or appliances which have had maintenance performed by any person who does so in accordance with the certificate holder's airworthiness maintenance program and maintenance manual.

These amendments are based on a notice of proposed rule making (Notice 70-20), issued on April 29, 1970, and published in the FEDERAL REGISTER on May 5, 1970 (35 F.R. 7083).

The comments received in response to Notice 70-20 supported the proposal. The amendments authorize a certificate holder to approve for return to service aircraft, airframes, aircraft engines, propellers, or appliances which have been maintained or altered by any person when that work is performed in ac-

cordance with the certificate holder's manual. Section 121.379(a) is amended so that the authorization of approval for return to service specified in § 121.379 (b) includes work performed by others as well as work performed by the certificate holder. Section 121.379(b) is also amended so that the reference to work performed for the certificate holder's approval includes that performed by other persons. Similar amendments are made to the provisions of FAR Part 127.

These amendments do not change the certificate holder's primary responsibility to maintain its aircraft in an airworthy condition, or to have it performed in accordance with its manual.

Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all matter presented.

In consideration of the foregoing, Parts 121 and 127 of the Federal Aviation Regulations are amended, effective November 29, 1970, as follows:

1. Section 121.379 is amended to read:

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

(a) A certificate holder may perform, or it may make arrangements with other persons to perform, maintenance, preventive maintenance, and alterations as provided in its continuous air worthiness 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.

(b) A certificate holder may approve any aircraft, airframe, aircraft engine, propeller, or appliance for return to service after maintenance, preventive main-

tenance, or alterations that are performed under paragraph (a) of this section. However, in the case of a major repair or major alteration, the work must have been done in accordance with technical data approved by the Administrator.

2. Section 127.140 is amended to read:

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

(a) An air carrier may perform, or it may make arrangements with other persons to perform, maintenance, preventive maintenance, and alterations as provided in its continuous airworthiness maintenance program and its maintenance manual. In addition, an air carrier may perform these functions for another air carrier as provided in the continuous airworthiness maintenance program and maintenance manual of the other air carrier.

(b) An air carrier may approve any helicopter, airframe, aircraft engine, propeller, or appliance for return to service after maintenance, preventive maintenance, or alterations that are performed under paragraph (a) of this section. However, in the case of a major repair or major alteration, the work must have been done in accordance with technical data approved by the Administrator.

(Secs. 313(a), 601, 605, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1425; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 23, 1970.

J. H. SHAFFER,
Administrator.

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