

§ 135.429

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(2) A designation of the items of maintenance and alteration that must be inspected (required inspections) including at least those that could result in a failure, malfunction, or defect endangering the safe operation of the aircraft, if not performed properly or if improper parts or materials are used.

(3) The method of performing required inspections and a designation by occupational title of personnel authorized to perform each required inspection.

(4) Procedures for the reinspection of work performed under previous required inspection findings (*buy-back procedures*).

(5) Procedures, standards, and limits necessary for required inspections and acceptance or rejection of the items required to be inspected and for periodic inspection and calibration of precision tools, measuring devices, and test equipment.

(6) Procedures to ensure that all required inspections are performed.

(7) Instructions to prevent any person who performs any item of work from performing any required inspection of that work.

(8) Instructions and procedures to prevent any decision of an inspector regarding any required inspection from being countermanded by persons other than supervisory personnel of the inspection unit, or a person at the level of administrative control that has overall responsibility for the management of both the required inspection functions and the other maintenance, preventive maintenance, and alterations functions.

(9) Procedures to ensure that required inspections, other maintenance, preventive maintenance, and alterations that are not completed as a result of work interruptions are properly completed before the aircraft is released to service.

(c) Each certificate holder shall put in its manual a suitable system (which may include a coded system) that provides for the retention of the following information—

(1) A description (or reference to data acceptable to the Administrator) of the work performed;

(2) The name of the person performing the work if the work is per-

formed by a person outside the organization of the certificate holder; and

(3) The name or other positive identification of the individual approving the work.

(d) For the purposes of this part, the certificate holder must prepare that part of its manual containing maintenance information and instructions, in whole or in part, in printed form or other form, acceptable to the Administrator, that is retrievable in the English language.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135–66, 62 FR 13257, Mar. 19, 1997; 69 FR 18472, Apr. 8, 2004; Amdt. 135–118, 74 FR 38522, Aug. 4, 2009]

§ 135.429 Required inspection personnel.

(a) No person may use any person to perform required inspections unless the person performing the inspection is appropriately certificated, properly trained, qualified, and authorized to do so.

(b) No person may allow any person to perform a required inspection unless, at the time, the person performing that inspection is under the supervision and control of an inspection unit.

(c) No person may perform a required inspection if that person performed the item of work required to be inspected.

(d) In the case of rotorcraft that operate in remote areas or sites, the Administrator may approve procedures for the performance of required inspection items by a pilot when no other qualified person is available, provided—

(1) The pilot is employed by the certificate holder;

(2) It can be shown to the satisfaction of the Administrator that each pilot authorized to perform required inspections is properly trained and qualified;

(3) The required inspection is a result of a mechanical interruption and is not a part of a certificate holder's continuous airworthiness maintenance program;

(4) Each item is inspected after each flight until the item has been inspected by an appropriately certificated mechanic other than the one who originally performed the item of work; and

(5) Each item of work that is a required inspection item that is part of the flight control system shall be flight tested and reinspected before the aircraft is approved for return to service.

(e) Each certificate holder shall maintain, or shall determine that each person with whom it arranges to perform its required inspections maintains, a current listing of persons who have been trained, qualified, and authorized to conduct required inspections. The persons must be identified by name, occupational title and the inspections that they are authorized to perform. The certificate holder (or person with whom it arranges to perform its required inspections) shall give written information to each person so authorized, describing the extent of that person's responsibilities, authorities, and inspectional limitations. The list shall be made available for inspection by the Administrator upon request.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-20, 51 FR 40710, Nov. 7, 1986]

§ 135.431 Continuing analysis and surveillance.

(a) Each certificate holder shall establish and maintain a system for the continuing analysis and surveillance of the performance and effectiveness of its inspection program and the program covering other maintenance, preventive maintenance, and alterations and for the correction of any deficiency in those programs, regardless of whether those programs are carried out by the certificate holder or by another person.

(b) Whenever the Administrator finds that either or both of the programs described in paragraph (a) of this section does not contain adequate procedures and standards to meet this part, the certificate holder shall, after notification by the Administrator, make changes in those programs requested by the Administrator.

(c) A certificate holder may petition the Administrator to reconsider the notice to make a change in a program. The petition must be filed with the certificate-holding district office within 30 days after the certificate holder receives the notice. Except in the case of

an emergency requiring immediate action in the interest of safety, the filing of the petition stays the notice pending a decision by the Administrator.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-60, 61 FR 2617, Jan. 26, 1996]

§ 135.433 Maintenance and preventive maintenance training program.

Each certificate holder or a person performing maintenance or preventive maintenance functions for it shall have a training program to ensure that each person (including inspection personnel) who determines the adequacy of work done is fully informed about procedures and techniques and new equipment in use and is competent to perform that person's duties.

§ 135.435 Certificate requirements.

(a) Except for maintenance, preventive maintenance, alterations, and required inspections performed by a certificated repair station that is located outside the United States, each person who is directly in charge of maintenance, preventive maintenance, or alterations, and each person performing required inspections must hold an appropriate airman certificate.

(b) For the purpose of this section, a person *directly in charge* is each person assigned to a position in which that person is responsible for the work of a shop or station that performs maintenance, preventive maintenance, alterations, or other functions affecting airworthiness. A person who is *directly in charge* need not physically observe and direct each worker constantly but must be available for consultation and decision on matters requiring instruction or decision from higher authority than that of the person performing the work.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-82, 66 FR 41117, Aug. 6, 2001]

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

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