

§21.5

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(1) Failures, malfunctions, or defects that the holder of a Type Certificate (including a Supplemental Type Certificate), Parts Manufacturer Approval (PMA), or TSO authorization, or the licensee of a Type Certificate—

(i) Determines were caused by improper maintenance, or improper usage;

(ii) Knows were reported to the FAA by another person under the Federal Aviation Regulations; or

(iii) Has already reported under the accident reporting provisions of Part 430 of the regulations of the National Transportation Safety Board.

(2) Failures, malfunctions, or defects in products, parts, or articles manufactured by a foreign manufacturer under a U.S. Type Certificate issued under §21.29 or §21.617, or exported to the United States under §21.502.

(e) Each report required by this section—

(1) Shall be made to the Aircraft Certification Office in the region in which the person required to make the report is located within 24 hours after it has determined that the failure, malfunction, or defect required to be reported has occurred. However, a report that is due on a Saturday or a Sunday may be delivered on the following Monday and one that is due on a holiday may be delivered on the next workday;

(2) Shall be transmitted in a manner and form acceptable to the Administrator and by the most expeditious method available; and

(3) Shall include as much of the following information as is available and applicable:

(i) Aircraft serial number.

(ii) When the failure, malfunction, or defect is associated with an article approved under a TSO authorization, the article serial number and model designation, as appropriate.

(iii) When the failure, malfunction, or defect is associated with an engine or propeller, the engine or propeller serial number, as appropriate.

(iv) Product model.

(v) Identification of the part, component, or system involved. The identification must include the part number.

(vi) Nature of the failure, malfunction, or defect.

(f) Whenever the investigation of an accident or service difficulty report shows that an article manufactured under a TSO authorization is unsafe because of a manufacturing or design defect, the manufacturer shall, upon request of the Administrator, report to the Administrator the results of its investigation and any action taken or proposed by the manufacturer to correct that defect. If action is required to correct the defect in existing articles, the manufacturer shall submit the data necessary for the issuance of an appropriate airworthiness directive to the Manager of the Aircraft Certification Office for the geographic area of the FAA regional office in the region in which it is located.

[Amdt. 21–36, 35 FR 18187, Nov. 28, 1970, as amended by Amdt. 21–37, 35 FR 18450, Dec. 4, 1970; Amdt. 21–50, 45 FR 38346, June 9, 1980; Amdt. 21–67, 54 FR 39291, Sept. 25, 1989]

§21.5 Airplane or Rotorcraft Flight Manual.

(a) With each airplane or rotorcraft that was not type certificated with an Airplane or Rotorcraft Flight Manual and that has had no flight time prior to March 1, 1979, the holder of a Type Certificate (including a Supplemental Type Certificate) or the licensee of a Type Certificate shall make available to the owner at the time of delivery of the aircraft a current approved Airplane or Rotorcraft Flight Manual.

(b) The Airplane or Rotorcraft Flight Manual required by paragraph (a) of this section must contain the following information:

(1) The operating limitations and information required to be furnished in an Airplane or Rotorcraft Flight Manual or in manual material, markings, and placards, by the applicable regulations under which the airplane or rotorcraft was type certificated.

(2) The maximum ambient atmospheric temperature for which engine cooling was demonstrated must be stated in the performance information section of the Flight Manual, if the applicable regulations under which the aircraft was type certificated do not require ambient temperature on engine cooling operating limitations in the Flight Manual.

[Amdt. 21–46, 43 FR 2316, Jan. 16, 1978]