

SUBCHAPTER K—ADMINISTRATIVE REGULATIONS

PART 183—REPRESENTATIVES OF THE ADMINISTRATOR

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SOURCE: Docket No. 1151, 27 FR 4951, May 26, 1962, unless otherwise noted.

EDITORIAL NOTE: For miscellaneous amendments to cross references in this part 183, see Amdt. 183-1, 31 FR 9211, July 6, 1966.

Subpart A—General

§ 183.1 Scope.

This part describes the requirements for designating private persons to act as representatives of the Administrator in examining, inspecting, and testing persons and aircraft for the purpose of issuing airman and aircraft certificates. In addition, it states the privileges of those representatives and prescribes rules for their exercising of those privileges.

Subpart B—Certification of Representatives

§ 183.11 Selection.

(a) The Federal Air Surgeon, or his authorized representative within the FAA, may select Aviation Medical Ex-

aminers from qualified physicians who apply. In addition, the Federal Air Surgeon may designate qualified forensic pathologists to assist in the medical investigation of aircraft accidents.

(b) Any local Flight Standards Inspector may select a pilot examiner, technical personnel examiner, or a designated aircraft maintenance inspector whenever he determines there is a need for one.

(c)(1) The Manager, Aircraft Certification Office, or the Manager's designee, may select Designated Engineering Representatives from qualified persons who apply by a letter accompanied by a "Statement of Qualifications of Designated Engineering Representative."

(2) The Manager, Aircraft Certification Directorate, or the Manager's designee, may select Designated Manufacturing Inspection Representatives from qualified persons who apply by a letter accompanied by a "Statement of Qualifications of Designated Manufacturing Inspection Representative."

(d) The Associate Administrator for Air Traffic, may select Air Traffic Control Tower Operator Examiners.

(e) The Director, Aircraft Certification Service, or the Director's designee, may select Designated Airworthiness Representatives from qualified persons who apply by a letter accompanied by a "Statement of Qualifications of Designated Airworthiness Representative."

(Approved by the Office of Management and Budget under control number 2120-0035)

(Secs. 313(a), 314, 601, 603, 605, and 1102, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1355, 1421, 1423, 1425, and 1502); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)))

[Doc. No. 1151, 27 FR 4951, May 26, 1962, as amended by Amdt. 183-7, 45 FR 32669, May 19, 1980; Amdt. 183-8, 48 FR 16179, Apr. 14, 1983; Amdt. 183-9, 54 FR 39296, Sept. 25, 1989]

§ 183.13 Certification.

(a) A "Certificate of Designation" and an appropriate Identification Card is issued to each Aviation Medical Examiner and to each forensic pathologist designated under § 183.11(a).

(b) A “Certificate of Authority” specifying the kinds of designation for which the person concerned is qualified and stating an expiration date is issued to each Flight Standards Designated Representative, along with a “Certificate of Designation” for display purposes, designating the holder as a Flight Standards Representative and specifying the kind of designation for which he is qualified.

(c) A “Certificate of Authority,” stating the specific functions which the person concerned is authorized to perform and stating an expiration date, is issued to each Designated Airworthiness Representative, along with a “Certificate of Designation” for display purposes.

(Secs. 601 and 602, 72 Stat. 752, 49 U.S.C. 1421-1422; secs. 313(a), 314, 601, 603, 605, and 1102, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1355, 1421, 1423, 1425, and 1502); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)))

[Doc. No. 1151, 27 FR 4951, May 26, 1962, as amended by Amdt. 183-2, 32 FR 46, Jan. 5, 1967; Amdt. 183-8, 48 FR 16179, Apr. 14, 1983]

§ 183.15 Duration of certificates.

(a) Unless sooner terminated under paragraph (d) of this section, a designation as an Aviation Medical Examiner is effective for 1 year after the date it is issued, and may be renewed for additional periods of 1 year in the Federal Air Surgeon’s discretion. A renewal is effected by a letter and issuance of a new identification card specifying the renewal period.

(b) Unless sooner terminated under paragraph (d) of this section, a designation as a Flight Standards and Aircraft Certification Service Designated Representative is effective for one year after the date it is issued and may be renewed for additional periods of one year in the Administrator’s discretion.

(c) Unless sooner terminated under paragraph (d) of this section, a designation as a Designated Airworthiness Representative is effective until the expiration date shown on the Certificate of Authority.

(d) A designation made under this subpart terminates—

(1) Upon the written request of the representative;

(2) Upon the written request of the employer in any case in which the recommendation of the employer is required for the designation;

(3) Upon the representative being separated from the employment of the employer who recommended him for certification;

(4) Upon a finding by the Administrator that the representative has not properly performed his duties under the designation;

(5) Upon the assistance of the representative being no longer needed by the Administrator; or

(6) For any reason the Administration considers appropriate.

(Secs. 313(a), 314, 601, 603, 605, and 1102, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1355, 1421, 1423, 1425, and 1502); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)))

[Doc. No. 1151, 27 FR 4951, May 26, 1962, as amended by Amdt. 183-3, 33 FR 1072, Jan. 27, 1968; Amdt. 183-8, 48 FR 16179, Apr. 14, 1983; Amdt. 183-9, 54 FR 39296, Sept. 25, 1989]

§ 183.17 Reports.

Each representative designated under this part shall make such reports as are prescribed by the Administrator.

Subpart C—Kinds of Designations: Privileges

§ 183.21 Aviation Medical Examiners.

An Aviation Medical Examiner may—

(a) Accept applications for physical examinations necessary for issuing medical certificates under part 67 of this chapter;

(b) Under the general supervision of the Federal Air Surgeon or the appropriate senior regional flight surgeon, conduct those physical examinations;

(c) Issue or deny medical certificates in accordance with part 67 of this chapter, subject to reconsideration by the Federal Air Surgeon or his authorized representatives within the FAA;

(d) Issue student pilot certificates as specified in § 61.85 of this chapter; and

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(e) As requested, participate in investigating aircraft accidents.

(Secs. 601 and 602, 72 Stat. 752, 49 U.S.C. 1421-1422)

[Doc. No. 1151, 27 FR 4951, May 26, 1962, as amended by Amdt. 183-2, 32 FR 46, Jan. 5, 1967; Amdt. 183-5, 38 FR 12203, May 10, 1973]

§ 183.23 Pilot examiners.

Any pilot examiner, instrument rating examiner, or airline transport pilot examiner may—

(a) As authorized in his designation, accept applications for flight tests necessary for issuing pilot certificates and ratings under this chapter;

(b) Under the general supervision of the appropriate local Flight Standards Inspector, conduct those tests; and

(c) In the discretion of the appropriate local Flight Standards Inspector, issue temporary pilot certificates and ratings to qualified applicants.

§ 183.25 Technical personnel examiners.

(a) A designated mechanic examiner (DME) (airframe and power plant) may—

(1) Accept applications for, and conduct, mechanic, oral and practical tests necessary for issuing mechanic certificates under part 65 of this chapter; and

(2) In the discretion of the appropriate local Flight Standards Inspector, issue temporary mechanic certificates to qualified applicants.

(b) A designated parachute rigger examiner (DPRE) may—

(1) Accept applications for, and conduct, oral and practical tests necessary for issuing parachute rigger certificates under part 65 of this chapter; and

(2) In the discretion of the appropriate local Flight Standards Inspector, issue temporary parachute rigger certificates to qualified applicants.

(c) An air traffic control tower operator examiner may—

(1) Accept applications for, and conduct, written and practical tests necessary for issuing control tower operator certificates under part 65 of this chapter; and

(2) In the discretion of the Associate Administrator for Air Traffic issue temporary control tower operator certificates to qualified applicants.

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(d) A designated flight engineer examiner (DFEE) may—

(1) Accept applications for, and conduct, oral and practical tests necessary for issuing flight engineer certificates under part 63 of this chapter; and

(2) In the discretion of the appropriate local Flight Standards Inspector, issue temporary flight engineer certificates to qualified applicants.

(e) A designated flight navigator examiner (DFNE) may—

(1) Accept applications for, and conduct, oral and practical tests necessary for issuing flight navigator certificates under part 63 of this chapter; and

(2) In the discretion of the appropriate local Flight Standards Inspector, issue temporary flight navigator certificates to qualified applicants.

(f) A designated aircraft dispatcher examiner (DADE) may—

(1) Accept applications for, and conduct, written and practical tests necessary for issuing aircraft dispatcher certificates under part 65 of this chapter; and

(2) In the discretion of the appropriate local Flight Standards Inspector, issue temporary aircraft dispatcher certificates to qualified applicants.

[Doc. No. 1151, 27 FR 4951, May 26, 1962, as amended by Amdt. 183-9, 54 FR 39296, Sept. 25, 1989]

§ 183.27 Designated aircraft maintenance inspectors.

A designated aircraft maintenance inspector (DAMI) may approve maintenance on civil aircraft used by United States military flying clubs in foreign countries.

§ 183.29 Designated engineering representatives.

(a) A structural engineering representative may approve structural engineering information and other structural considerations within limits prescribed by and under the general supervision of the Administrator, whenever the representative determines that information and other structural considerations comply with the applicable regulations of this chapter.

(b) A power plant engineering representative may approve information relating to power plant installations

within limitations prescribed by and under the general supervision of the Administrator whenever the representative determines that information complies with the applicable regulations of this chapter.

(c) A systems and equipment engineering representative may approve engineering information relating to equipment and systems, other than those of a structural, powerplant, or radio nature, within limits prescribed by and under the general supervision of the Administrator, whenever the representative determines that information complies with the applicable regulations of this chapter.

(d) A radio engineering representative may approve engineering information relating to the design and operating characteristics of radio equipment, within limits prescribed by and under the general supervision of the Administrator whenever the representative determines that information complies with the applicable regulations of this chapter.

(e) An engine engineering representative may approve engineering information relating to engine design, operation and service, within limits prescribed by and under the general supervision of the Administrator, whenever the representative determines that information complies with the applicable regulations of this chapter.

(f) A propeller engineering representative may approve engineering information relating to propeller design, operation, and maintenance, within limits prescribed by and under the general supervision of the Administrator whenever the representative determines that information complies with the applicable regulations of this chapter.

(g) A flight analyst representative may approve flight test information, within limits prescribed by and under the general supervision of the Administrator, whenever the representative determines that information complies with the applicable regulations of this chapter.

(h) A flight test pilot representative may make flight tests, and prepare and approve flight test information relating to compliance with the regulations of this chapter, within limits pre-

scribed by and under the general supervision of the Administrator.

(i) An acoustical engineering representative may witness and approve aircraft noise certification tests and approve measured noise data and evaluated noise data analyses, within the limits prescribed by, and under the general supervision of, the Administrator, whenever the representative determines that the noise test, test data, and associated analyses are in conformity with the applicable regulations of this chapter. Those regulations include, where appropriate, the methodologies and any equivalencies previously approved by the Director of Environment and Energy, for that noise test series. No designated acoustical engineering representative may determine that a type design change is not an acoustical change, or approve equivalencies to prescribed noise procedures or standards.

[Doc. No. 1151, 27 FR 4951, May 26, 1962, as amended by Amdt. 183-7, 45 FR 32669, May 19, 1980; Amdt. 183-9, 54 FR 39296, Sept. 25, 1989]

§ 183.31 Designated manufacturing inspection representatives.

A designated manufacturing inspection representative (DMIR) may, within limits prescribed by, and under the general supervision of, the Administrator, do the following:

(a) Issue—

(1) Original airworthiness certificates for aircraft and airworthiness approvals for engines, propellers, and product parts that conform to the approved design requirements and are in a condition for safe operation;

(2) Export certificates of airworthiness and airworthiness approval tags in accordance with subpart L of part 21 of this chapter;

(3) Experimental certificates for aircraft for which the manufacturer holds the type certificate and which have undergone changes to the type design requiring a flight test; and

(4) Special flight permits to export aircraft.

(b) Conduct any inspections that may be necessary to determine that—

(1) Prototype products and related parts conform to design specifications; and

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(2) Production products and related parts conform to the approved type design and are in condition for safe operation.

(c) Perform functions authorized by this section for the manufacturer, or the manufacturer's supplier, at any location authorized by the FAA.

[Doc. No. 16622, 45 FR 1416, Jan. 7, 1980]

§ 183.33 Designated Airworthiness Representative.

A Designated Airworthiness Representative (DAR) may, within limits prescribed by and under the general supervision of the Administrator, do the following:

(a) Perform examination, inspection, and testing services necessary to issue, and to determine the continuing effectiveness of, certificates, including issuing certificates, as authorized by the Director of Flight Standards Service in the area of maintenance or as authorized by the Director of Aircraft Certification Service in the areas of manufacturing and engineering.

(b) Charge a fee for his or her services.

(c) Perform authorized functions at any authorized location.

(Secs. 313(a), 314, 601, 603, 605, and 1102, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1355, 1421, 1423, 1425, and 1502); sec.6(c) Department of Transportation Act (49 U.S.C. 1655(c)))

[Doc. No. 23140, 48 FR 16179, Apr. 14, 1983, as amended by Amdt. 183-9, 54 FR 39296, Sept. 25, 1989; Amdt. 183-11, 67 FR 72766, Dec. 6, 2002]

PART 185—TESTIMONY BY EMPLOYEES AND PRODUCTION OF RECORDS IN LEGAL PROCEEDINGS, AND SERVICE OF LEGAL PROCESS AND PLEADINGS

Sec.

185.1 Purpose.

185.3 Acceptance of service on behalf of the Secretary of Transportation or the Administrator.

185.5 Testimony by employees and production of records in legal proceedings.

AUTHORITY: 49 U.S.C. 106(g), 40113-40114, 46104; 49 CFR part 9.

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SOURCE: Docket No. 9900, 34 FR 16622, Oct. 17, 1969, unless otherwise noted.

§ 185.1 Purpose.

(a) The purpose of this part is to name the FAA officials who, pursuant to part 9 of the regulations of the Office of the Secretary of Transportation (49 CFR part 9) as amended (34 FR 11972, July 16, 1969), are those:

(1) Upon whom legal process or pleadings may be served in any legal proceeding concerning the FAA, and who have authority to acknowledge the service and take further action thereon; and

(2) Who otherwise perform the functions prescribed by part 9 in legal proceedings concerning the FAA with respect to testimony by FAA employees and production of FAA records in legal proceedings.

(b) For purposes of this part, "legal proceedings" includes any proceeding before a court of law, administrative board or commission, hearing officer, or other body conducting a legal or administrative proceeding.

§ 185.3 Acceptance of service on behalf of the Secretary of Transportation or the Administrator.

Legal process or pleadings in any legal proceeding concerning the FAA may be served, at the option of the server, on the Chief Counsel, Deputy Chief Counsel, Assistant Chief Counsel, Litigation Division, of the FAA, or any other FAA official designated by the Chief Counsel, with the same effect as if served upon the Secretary of Transportation or the Administrator. The official accepting the service under this section acknowledges the service and takes further action as appropriate.

§ 185.5 Testimony by employees and production of records in legal proceedings.

The Chief Counsel, and each Assistant Chief Counsel, each Regional Counsel, the Aeronautical Center Counsel, and the Technical Center Counsel, with respect to matters arising within their respective jurisdictions, and any other FAA official designated by the Chief Counsel, perform the functions in legal proceedings (other than one described in §185.3 of this part) as prescribed by part 9 of the regulations of the Office of