

§ 21.195

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(2) The aircraft's operating instructions.

(3) The aircraft's maintenance and inspection procedures.

(4) The manufacturer's statement of compliance for the aircraft kit used in the aircraft assembly that meets § 21.190(c), except that instead of meeting § 21.190(c)(7), the statement must identify assembly instructions for the aircraft that meet an applicable consensus standard.

(5) The aircraft's flight training supplement.

(6) In addition to paragraphs (e)(1) through (e)(5) of this section, for an aircraft kit manufactured outside of the United States, evidence that the aircraft kit was manufactured in a country with which the United States has a Bilateral Airworthiness Agreement concerning airplanes or a Bilateral Aviation Safety Agreement with associated Implementation Procedures for Airworthiness concerning airplanes, or an equivalent airworthiness agreement.

[Docket No. 5085, 29 FR 14569, Oct. 24, 1964, as amended by Amdt. 21–85, 69 FR 44862, July 27, 2004]

§ 21.195 Experimental certificates: Aircraft to be used for market surveys, sales demonstrations, and customer crew training.

(a) A manufacturer of aircraft manufactured within the United States may apply for an experimental certificate for an aircraft that is to be used for market surveys, sales demonstrations, or customer crew training.

(b) A manufacturer of aircraft engines who has altered a type certificated aircraft by installing different engines, manufactured by him within the United States, may apply for an experimental certificate for that aircraft to be used for market surveys, sales demonstrations, or customer crew training, if the basic aircraft, before alteration, was type certificated in the normal, acrobatic, commuter, or transport category.

(c) A person who has altered the design of a type certificated aircraft may apply for an experimental certificate for the altered aircraft to be used for market surveys, sales demonstrations, or customer crew training if the basic

aircraft, before alteration, was type certificated in the normal, utility, acrobatic, or transport category.

(d) An applicant for an experimental certificate under this section is entitled to that certificate if, in addition to meeting the requirements of § 21.193—

(1) He has established an inspection and maintenance program for the continued airworthiness of the aircraft; and

(2) The applicant shows that the aircraft has been flown for at least 50 hours, or for at least 5 hours if it is a type certificated aircraft which has been modified. The FAA may reduce these operational requirements if the applicant provides adequate justification.

[Amdt. 21–21, 33 FR 6858, May 7, 1968, as amended by Amdt. 21–28, 35 FR 2818, Feb. 11, 1970; Amdt. 21–57, 49 FR 39651, Oct. 9, 1984; Amdt. 21–59, 52 FR 1836, Jan. 15, 1987; Amdt. 21–92, 74 FR 53389, Oct. 16, 2009]

§ 21.197 Special flight permits.

(a) A special flight permit may be issued for an aircraft that may not currently meet applicable airworthiness requirements but is capable of safe flight, for the following purposes:

(1) Flying the aircraft to a base where repairs, alterations, or maintenance are to be performed, or to a point of storage.

(2) Delivering or exporting the aircraft.

(3) Production flight testing new production aircraft.

(4) Evacuating aircraft from areas of impending danger.

(5) Conducting customer demonstration flights in new production aircraft that have satisfactorily completed production flight tests.

(b) A special flight permit may also be issued to authorize the operation of an aircraft at a weight in excess of its maximum certificated takeoff weight for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available. The excess weight that may be authorized under this paragraph is limited to the additional fuel, fuel-carrying facilities, and navigation equipment necessary for the flight.

(c) Upon application, as prescribed in § 91.1017 or § 119.51 of this chapter, a special flight permit with a continuing authorization may be issued for aircraft that may not meet applicable airworthiness requirements, but are capable of safe flight for the purpose of flying aircraft to a base where maintenance or alterations are to be performed. The permit issued under this paragraph is an authorization, including conditions and limitations for flight, which is set forth in the certificate holder's operations specifications. The permit issued under this paragraph may be issued to—

(1) Certificate holders authorized to conduct operations under part 119 of this chapter, that have an approved program for continuing flight authorization; or

(2) Management specification holders authorized to conduct operations under part 91, subpart K of this chapter for those aircraft they operate and maintain under a continuous airworthiness maintenance program prescribed by § 91.1411 of this chapter.

[Doc. No. 5085, 29 FR 14570, Oct. 24, 1964, as amended by Amdt. 21-21, 33 FR 6859, May 7, 1968; Amdt. 21-51, 45 FR 60170, Sept. 11, 1980; Amdt. 21-54, 46 FR 37878, July 23, 1981; Amdt. 21-79, 66 FR 21066, Apr. 27, 2001; Amdt. 21-84, 68 FR 54559, Sept. 17, 2003; Amdt. 21-87, 71 FR 536, Jan. 4, 2006; Amdt. 21-92, 74 FR 53389, Oct. 16, 2009]

§ 21.199 Issue of special flight permits.

(a) Except as provided in § 21.197(c), an applicant for a special flight permit must submit a statement in a form and manner prescribed by the FAA, indicating—

(1) The purpose of the flight.

(2) The proposed itinerary.

(3) The crew required to operate the aircraft and its equipment, e.g., pilot, co-pilot, navigator, etc.

(4) The ways, if any, in which the aircraft does not comply with the applicable airworthiness requirements.

(5) Any restriction the applicant considers necessary for safe operation of the aircraft.

(6) Any other information considered necessary by the FAA for the purpose of prescribing operating limitations.

(b) The FAA may make, or require the applicant to make appropriate inspections or tests necessary for safety.

[Doc. No. 5085, 29 FR 14570, Oct. 24, 1964, as amended by Amdt. 21-21, 33 FR 6859, May 7, 1968; Amdt. 21-22, 33 FR 11901, Aug. 22, 1968]

Subpart I—Provisional Airworthiness Certificates

SOURCE: Docket No. 5085, 29 FR 14571, Oct. 24, 1964, unless otherwise noted.

§ 21.211 Applicability.

This subpart prescribes procedural requirements for the issue of provisional airworthiness certificates.

§ 21.213 Eligibility.

(a) A manufacturer who is a United States citizen may apply for a Class I or Class II provisional airworthiness certificate for aircraft manufactured by him within the U.S.

(b) Any holder of an air carrier operating certificate under Part 121 of this chapter who is a United States citizen may apply for a Class II provisional airworthiness certificate for transport category aircraft that meet either of the following:

(1) The aircraft has a current Class II provisional type certificate or an amendment thereto.

(2) The aircraft has a current provisional amendment to a type certificate that was preceded by a corresponding Class II provisional type certificate.

(c) An aircraft engine manufacturer who is a United States citizen and who has altered a type certificated aircraft by installing different type certificated engines, manufactured by him within the United States, may apply for a Class I provisional airworthiness certificate for that aircraft, if the basic aircraft, before alteration, was type certificated in the normal, utility, acrobatic, commuter, or transport category.

[Doc. No. 5085, 29 FR 14571, Oct. 24, 1964, as amended by Amdt. 21-59, 52 FR 1836, Jan. 15, 1987; Amdt. 21-79, 66 FR 21066, Apr. 27, 2001]