

Federal Aviation Administration, DOT

§21.115

the aircraft in accordance with those sections.

(g) Notwithstanding paragraph (b) of this section, for transport category airplanes, the applicant must show compliance with each applicable provision of part 26 of this chapter, unless the applicant has elected or was required to comply with a corresponding amendment to part 25 of this chapter that was issued on or after the date of the applicable part 26 provision.

[Doc. No. 28903, 65 FR 36266, June 7, 2000, as amended by Amdt. 21-90, 72 FR 63404, Nov. 8, 2007]

EFFECTIVE DATE NOTE: At 77 FR 71695, Dec. 4, 2012, §21.101 was amended by revising paragraphs (a), (b) introductory text, (b)(3), and (c), effective Feb. 4, 2013. For the convenience of the user, the revised text is set forth as follows:

§21.101 Designation of applicable regulations.

(a) An applicant for a change to a type certificate must show that the change and areas affected by the change comply with the airworthiness requirements applicable to the category of the product in effect on the date of the application for the change and with parts 34 and 36 of this chapter. Exceptions are detailed in paragraphs (b) and (c) of this section.

(b) Except as provided in paragraph (g) of this section, if paragraphs (b)(1), (2), or (3) of this section apply, an applicant may show that the change and areas affected by the change comply with an earlier amendment of a regulation required by paragraph (a) of this section, and of any other regulation the FAA finds is directly related. However, the earlier amended regulation may not precede either the corresponding regulation incorporated by reference in the type certificate, or any regulation in §§23.2, 25.2, 27.2, or 29.2 of this subchapter that is related to the change. The applicant may show compliance with an earlier amendment of a regulation for any of the following:

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(3) Each area, system, component, equipment, or appliance that is affected by the change, for which the FAA finds that compliance with a regulation described in paragraph (a) of this section would not contribute materially to the level of safety of the product or would be impractical.

(c) An applicant for a change to an aircraft (other than a rotorcraft) of 6,000 pounds or less maximum weight, or to a non-turbine rotorcraft of 3,000 pounds or less maximum weight may show that the change and areas

affected by the change comply with the regulations incorporated by reference in the type certificate. However, if the FAA finds that the change is significant in an area, the FAA may designate compliance with an amendment to the regulation incorporated by reference in the type certificate that applies to the change and any regulation that the FAA finds is directly related, unless the FAA also finds that compliance with that amendment or regulation would not contribute materially to the level of safety of the product or would be impractical.

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Subpart E—Supplemental Type Certificates

SOURCE: Docket No. 5085, 29 FR 14568, Oct. 24, 1964, unless otherwise noted.

§21.111 Applicability.

This subpart prescribes procedural requirements for the issue of supplemental type certificates.

§21.113 Requirement for supplemental type certificate.

(a) If a person holds the TC for a product and alters that product by introducing a major change in type design that does not require an application for a new TC under §21.19, that person must either apply to the appropriate aircraft certification office for an STC or apply to amend the original type certificate under subpart D of this part.

(b) If a person does not hold the TC for a product and alters that product by introducing a major change in type design that does not require an application for a new TC under §21.19, that person must apply to the appropriate aircraft certification office for an STC.

(c) The application for an STC must be made in the form and manner prescribed by the FAA.

[Doc. No. FAA-2006-25877, Amdt. 21-92, 74 FR 53387, Oct. 16, 2009]

§21.115 Applicable requirements.

(a) Each applicant for a supplemental type certificate must show that the altered product meets applicable requirements specified in §21.101 and, in the case of an acoustical change described in §21.93(b), show compliance with the