

(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]

#### § 21.215 Application.

Applications for provisional airworthiness certificates must be submitted to the Manufacturing Inspec-

tion District Office in the geographic area in which the manufacturer or air carrier is located. The application must be accompanied by the pertinent information specified in this subpart.

[Amdt. 21-67, 54 FR 39291, Sept. 25, 1989; 54 FR 52872, Dec. 22, 1989]

#### § 21.217 Duration.

Unless sooner surrendered, superseded, revoked, or otherwise terminated, provisional airworthiness certificates are effective for the duration of the corresponding provisional type certificate, amendment to a provisional type certificate, or provisional amendment to the type certificate.

#### § 21.219 Transferability.

Class I provisional airworthiness certificates are not transferable. Class II provisional airworthiness certificates may be transferred to an air carrier eligible to apply for a certificate under § 21.213(b).

#### § 21.221 Class I provisional airworthiness certificates.

(a) Except as provided in § 21.225, an applicant is entitled to a Class I provisional airworthiness certificate for an aircraft for which a Class I provisional type certificate has been issued if—

(1) He meets the eligibility requirements of § 21.213 and he complies with this section; and

(2) The FAA finds that there is no feature, characteristic or condition of the aircraft that would make the aircraft unsafe when operated in accordance with the limitations established in §§ 21.81(e) and 91.317 of this subchapter.

(b) The manufacturer must hold a provisional type certificate for the aircraft.

(c) The manufacturer must submit a statement that the aircraft conforms to the type design corresponding to the provisional type certificate and has been found by him to be in safe operating condition under all applicable limitations.

(d) The aircraft must be flown at least five hours by the manufacturer.

(e) The aircraft must be supplied with a provisional aircraft flight manual or other document and appropriate