

with external equipment mounted to, or external loads carried by, the helicopter;

(C) Reconfiguration of the helicopter by the addition or removal of floats and skis;

(D) Flight with one or more doors and/or windows removed or in an open position; or

(E) Any changes in the operational limitations placed on the helicopter as a consequence of the addition or removal of external equipment, floats, and skis, or flight operations with doors and/or windows removed or in an open position.

(5) Tiltrotors.

(c) For purposes of complying with part 34 of this chapter, any voluntary change in the type design of the airplane or engine which may increase fuel venting or exhaust emissions is an "emissions change."

[Amdt. 21-27, 34 FR 18363, Nov. 18, 1969]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 21.93, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

#### **§ 21.95 Approval of minor changes in type design.**

Minor changes in a type design may be approved under a method acceptable to the FAA before submitting to the FAA any substantiating or descriptive data.

#### **§ 21.97 Approval of major changes in type design.**

(a) An applicant for approval of a major change in type design must—

(1) Provide substantiating data and necessary descriptive data for inclusion in the type design;

(2) Show that the change and areas affected by the change comply with the applicable requirements of this subchapter, and provide the FAA the means by which such compliance has been shown; and

(3) Provide a statement certifying that the applicant has complied with the applicable requirements.

(b) Approval of a major change in the type design of an aircraft engine is limited to the specific engine configuration upon which the change is made unless the applicant identifies in the

necessary descriptive data for inclusion in the type design the other configurations of the same engine type for which approval is requested and shows that the change is compatible with the other configurations.

[Amdt. 21-40, 39 FR 35459, Oct. 1, 1974, as amended by Amdt. 21-92, 74 FR 53387, Oct. 16, 2009; Amdt. 21-96, 77 FR 71695, Dec. 4, 2012]

#### **§ 21.99 Required design changes.**

(a) When an Airworthiness Directive is issued under Part 39 the holder of the type certificate for the product concerned must—

(1) If the FAA finds that design changes are necessary to correct the unsafe condition of the product, and upon his request, submit appropriate design changes for approval; and

(2) Upon approval of the design changes, make available the descriptive data covering the changes to all operators of products previously certificated under the type certificate.

(b) In a case where there are no current unsafe conditions, but the FAA or the holder of the type certificate finds through service experience that changes in type design will contribute to the safety of the product, the holder of the type certificate may submit appropriate design changes for approval. Upon approval of the changes, the manufacturer must make information on the design changes available to all operators of the same type of product.

[Doc. No. 5085, 29 FR 14567, Oct. 24, 1964, as amended by Amdt. 21-3, 30 FR 8826, July 24, 1965]

#### **§ 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