

§21.11

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Subpart B—Type Certificates

SOURCE: Docket No. 5085, 29 FR 14564, Oct. 24, 1964, unless otherwise noted.

§21.11 Applicability.

This subpart prescribes—

(a) Procedural requirements for the issue of type certificates for aircraft, aircraft engines, and propellers; and

(b) Rules governing the holders of those certificates.

§21.13 Eligibility.

Any interested person may apply for a type certificate.

[Amdt. 21–25, 34 FR 14068, Sept. 5, 1969]

§21.15 Application for type certificate.

(a) An application for a type certificate is made on a form and in a manner prescribed by the Administrator and is submitted to the appropriate Aircraft Certification Office.

(b) An application for an aircraft type certificate must be accompanied by a three-view drawing of that aircraft and available preliminary basic data.

(c) An application for an aircraft engine type certificate must be accompanied by a description of the engine design features, the engine operating characteristics, and the proposed engine operating limitations.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21–40, 39 FR 35459, Oct. 1, 1974; Amdt. 21–67, 54 FR 39291, Sept. 25, 1989]

§21.16 Special conditions.

If the Administrator finds that the airworthiness regulations of this subchapter do not contain adequate or appropriate safety standards for an aircraft, aircraft engine, or propeller because of a novel or unusual design feature of the aircraft, aircraft engine or propeller, he prescribes special conditions and amendments thereto for the product. The special conditions are issued in accordance with Part 11 of this chapter and contain such safety standards for the aircraft, aircraft engine or propeller as the Administrator finds necessary to establish a level of

safety equivalent to that established in the regulations.

[Amdt. 21–19, 32 FR 17851, Dec. 13, 1967; as amended by Amdt. 21–51, 45 FR 60170, Sept. 11, 1980]

§21.17 Designation of applicable regulations.

(a) Except as provided in §23.2, §25.2, §27.2, §29.2 and in parts 34 and 36 of this chapter, an applicant for a type certificate must show that the aircraft, aircraft engine, or propeller concerned meets—

(1) The applicable requirements of this subchapter that are effective on the date of application for that certificate unless—

(i) Otherwise specified by the Administrator; or

(ii) Compliance with later effective amendments is elected or required under this section; and

(2) Any special conditions prescribed by the Administrator.

(b) For special classes of aircraft, including the engines and propellers installed thereon (e.g., gliders, airships, and other nonconventional aircraft), for which airworthiness standards have not been issued under this subchapter, the applicable requirements will be the portions of those other airworthiness requirements contained in Parts 23, 25, 27, 29, 31, 33, and 35 found by the Administrator to be appropriate for the aircraft and applicable to a specific type design, or such airworthiness criteria as the Administrator may find provide an equivalent level of safety to those parts.

(c) An application for type certification of a transport category aircraft is effective for 5 years and an application for any other type certificate is effective for 3 years, unless an applicant shows at the time of application that his product requires a longer period of time for design, development, and testing, and the Administrator approves a longer period.

(d) In a case where a type certificate has not been issued, or it is clear that a type certificate will not be issued, within the time limit established under paragraph (c) of this section, the applicant may—

(1) File a new application for a type certificate and comply with all the provisions of paragraph (a) of this section applicable to an original application; or

(2) File for an extension of the original application and comply with the applicable airworthiness requirements of this subchapter that were effective on a date, to be selected by the applicant, not earlier than the date which precedes the date of issue of the type certificate by the time limit established under paragraph (c) of this section for the original application.

(e) If an applicant elects to comply with an amendment to this subchapter that is effective after the filing of the application for a type certificate, he must also comply with any other amendment that the Administrator finds is directly related.

(f) For primary category aircraft, the requirements are:

(1) The applicable airworthiness requirements contained in parts 23, 27, 31, 33, and 35 of this subchapter, or such other airworthiness criteria as the Administrator may find appropriate and applicable to the specific design and intended use and provide a level of safety acceptable to the Administrator.

(2) The noise standards of part 36 applicable to primary category aircraft.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-19, 32 FR 17851, Dec. 13, 1967; Amdt. 21-24, 34 FR 364, Jan. 10, 1969; Amdt. 21-42, 40 FR 1033, Jan. 6, 1975; Amdt. 21-58, 50 FR 46877, Nov. 13, 1985; Amdt. 21-60, 52 FR 8042, Mar. 13, 1987; Amdt. 21-68, 55 FR 32860, Aug. 10, 1990; Amdt. 21-69, 56 FR 41051, Aug. 16, 1991; Amdt. 21-70, 57 FR 41367, Sept. 9, 1992]

§ 21.19 Changes requiring a new type certificate.

Each person who proposes to change a product must apply for a new type certificate if the Administrator finds that the proposed change in design, power, thrust, or weight is so extensive that a substantially complete investigation of compliance with the applicable regulations is required.

[Doc. No. 28903, 65 FR 36265, June 7, 2000]

§ 21.21 Issue of type certificate: normal, utility, acrobatic, commuter, and transport category aircraft; manned free balloons; special classes of aircraft; aircraft engines; propellers.

An applicant is entitled to a type certificate for an aircraft in the normal, utility, acrobatic, commuter, or transport category, or for a manned free balloon, special class of aircraft, or an aircraft engine or propeller, if—

(a) The product qualifies under § 21.27; or

(b) The applicant submits the type design, test reports, and computations necessary to show that the product to be certificated meets the applicable airworthiness, aircraft noise, fuel venting, and exhaust emission requirements of the Federal Aviation Regulations and any special conditions prescribed by the Administrator, and the Administrator finds—

(1) Upon examination of the type design, and after completing all tests and inspections, that the type design and the product meet the applicable noise, fuel venting, and emissions requirements of the Federal Aviation Regulations, and further finds that they meet the applicable airworthiness requirements of the Federal Aviation Regulations or that any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety; and

(2) For an aircraft, that no feature or characteristic makes it unsafe for the category in which certification is requested.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-15, 32 FR 3735, Mar. 4, 1967; Amdt. 21-27, 34 FR 18368, Nov. 18, 1969; Amdt. 21-60, 52 FR 8042, Mar. 13, 1987; Amdt. 21-68, 55 FR 32860, Aug. 10, 1990]

§ 21.23 [Reserved]

§ 21.24 Issuance of type certificate: primary category aircraft.

(a) The applicant is entitled to a type certificate for an aircraft in the primary category if—

(1) The aircraft—

(i) Is unpowered; is an airplane powered by a single, naturally aspirated engine with a 61-knot or less V_{so} stall