

- (3) Aerial surveying (photography, mapping, and oil and mineral exploration);
- (4) Patrolling (pipelines, power lines, and canals);
- (5) Weather control (cloud seeding);
- (6) Aerial advertising (skywriting, banner towing, airborne signs and public address systems); and
- (7) Any other operation specified by the Administrator.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-42, 40 FR 1033, Jan. 6, 1975]

§21.27 Issue of type certificate: surplus aircraft of the Armed Forces.

- (a) Except as provided in paragraph (b) of this section an applicant is entitled to a type certificate for an aircraft in the normal, utility, acrobatic, commuter, or transport category that was designed and constructed in the United States, accepted for operational use, and declared surplus by, an Armed Force of the United States, and that is shown to comply with the applicable certification requirements in paragraph (f) of this section.
- (b) An applicant is entitled to a type certificate for a surplus aircraft of the Armed Forces of the United States that is a counterpart of a previously type certificated civil aircraft, if he shows compliance with the regulations governing the original civil aircraft type certificate.
- (c) Aircraft engines, propellers, and their related accessories installed in surplus Armed Forces aircraft, for

which a type certificate is sought under this section, will be approved for use on those aircraft if the applicant shows that on the basis of the previous military qualifications, acceptance, and service record, the product provides substantially the same level of airworthiness as would be provided if the engines or propellers were type certificated under Part 33 or 35 of the Federal Aviation Regulations.

(d) The Administrator may relieve an applicant from strict compliance with a specific provision of the applicable requirements in paragraph (f) of this section, if the Administrator finds that the method of compliance proposed by the applicant provides substantially the same level of airworthiness and that strict compliance with those regulations would impose a severe burden on the applicant. The Administrator may use experience that was satisfactory to an Armed Force of the United States in making such a determination.

(e) The Administrator may require an applicant to comply with special conditions and later requirements than those in paragraphs (c) and (f) of this section, if the Administrator finds that compliance with the listed regulations would not ensure an adequate level of airworthiness for the aircraft.

(f) Except as provided in paragraphs (b) through (e) of this section, an applicant for a type certificate under this section must comply with the appropriate regulations listed in the following table:

| Type of aircraft | Date accepted for operational use by the Armed Forces of the United States | Regulations that apply ¹ |
|---|--|--|
| Small reciprocating-engine powered airplanes | Before May 16, 1956 | CAR Part 3, as effective May 15, 1956. |
| | After May 15, 1956 | CAR Part 3, or FAR Part 23. |
| Small turbine engine-powered airplanes | Before Oct. 2, 1959 | CAR Part 3, as effective Oct. 1, 1959. |
| | After Oct. 1, 1959 | CAR Part 3 or FAR Part 23. |
| Commuter category airplanes | After (Feb. 17, 1987) | |
| | FAR Part 23 as of (Feb. 17, 1987).. | |
| Large reciprocating-engine powered airplanes | Before Aug. 26, 1955 | CAR Part 4b, as effective Aug. 25, 1955. |
| | After Aug. 25, 1959 | CAR Part 4b or FAR Part 25. |
| Large turbine engine-powered airplanes | Before Oct. 2, 1959 | CAR Part 4b, as effective Oct. 1, 1959. |
| | After Oct. 1, 1959 | CAR Part 4b or FAR Part 25. |
| Rotorcraft with maximum certificated takeoff weight of: | | |
| 6,000 pounds or less | Before Oct. 2, 1959 | CAR Part 6, as effective Oct. 1, 1959. |
| | After Oct. 1, 1959 | CAR Part 6, or FAR Part 27. |
| Over 6,000 pounds | Before Oct. 2, 1959 | CAR Part 7, as effective Oct. 1, 1959. |
| | After Oct. 1, 1959 | CAR Part 7, or FAR Part 29. |

¹ Where no specific date is listed, the applicable regulations are those in effect on the date that the first aircraft of the particular model was accepted for operational use by the Armed Forces.

§ 21.29

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[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21–59, 52 FR 1835, Jan. 15, 1987; 52 FR 7262, Mar. 9, 1987]

§ 21.29 Issue of type certificate: import products.

(a) A type certificate may be issued for a product that is manufactured in a foreign country with which the United States has an agreement for the acceptance of these products for export and import and that is to be imported into the United States if—

(1) The country in which the product was manufactured certifies that the product has been examined, tested, and found to meet—

(i) The applicable aircraft noise, fuel venting and exhaust emissions requirements of this subchapter as designated in § 21.17, or the applicable aircraft noise, fuel venting and exhaust emissions requirements of the country in which the product was manufactured, and any other requirements the Administrator may prescribe to provide noise, fuel venting and exhaust emission levels no greater than those provided by the applicable aircraft noise, fuel venting, and exhaust emission requirements of this subchapter as designated in § 21.17; and

(ii) The applicable airworthiness requirements of this subchapter as designated in § 21.17, or the applicable airworthiness requirements of the country in which the product was manufactured and any other requirements the Administrator may prescribe to provide a level of safety equivalent to that provided by the applicable airworthiness requirements of this subchapter as designated in § 21.17;

(2) The applicant has submitted the technical data, concerning aircraft noise and airworthiness, respecting the product required by the Administrator; and

(3) The manuals, placards, listings, and instrument markings required by the applicable airworthiness (and noise, where applicable) requirements are presented in the English language.

(b) A product type certificated under this section is considered to be type certificated under the noise standards of part 36, and the fuel venting and exhaust emission standards of part 34, of the Federal Aviation Regulations

where compliance therewith is certified under paragraph (a)(1)(i) of this section, and under the airworthiness standards of that part of the Federal Aviation Regulations with which compliance is certified under paragraph (a)(1)(ii) of this section or to which an equivalent level of safety is certified under paragraph (a)(1)(ii) of this section.

[Amdt. 21–27, 34 FR 18363, Nov. 18, 1969, as amended by Amdt. 21–68, 55 FR 32860, Aug. 10, 1990; 55 FR 37287, Sept. 10, 1990]

§ 21.31 Type design.

The type design consists of—

(a) The drawings and specifications, and a listing of those drawings and specifications, necessary to define the configuration and the design features of the product shown to comply with the requirements of that part of this subchapter applicable to the product;

(b) Information on dimensions, materials, and processes necessary to define the structural strength of the product;

(c) The Airworthiness Limitations section of the Instructions for Continued Airworthiness as required by Parts 23, 25, 27, 29, 31, 33, and 35 of this chapter or as otherwise required by the Administrator; and as specified in the applicable airworthiness criteria for special classes of aircraft defined in § 21.17(b); and

(d) For primary category aircraft, if desired, a special inspection and preventive maintenance program designed to be accomplished by an appropriately rated and trained pilot-owner.

(e) Any other data necessary to allow, by comparison, the determination of the airworthiness, noise characteristics, fuel venting, and exhaust emissions (where applicable) of later products of the same type.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21–27, 34 FR 18363, Nov. 18, 1969; Amdt. 21–51, 45 FR 60170, Sept. 11, 1980; Amdt. 21–60, 52 FR 8042, Mar. 13, 1987; Amdt. 21–68, 55 FR 32860, Aug. 10, 1990; Amdt. 21–70, 57 FR 41368, Sept. 9, 1992]