

§21.193

14 CFR Ch. I (1–1–06 Edition)

assembled by persons who undertook the construction project solely for their own education or recreation.

(h) *Operating primary kit-built aircraft.* Operating a primary category aircraft that meets the criteria of §21.24(a)(1) that was assembled by a person from a kit manufactured by the holder of a production certificate for that kit, without the supervision and quality control of the production certificate holder under §21.184(a).

(i) *Operating light-sport aircraft.* Operating a light-sport aircraft that—

(1) Has not been issued a U.S. or foreign airworthiness certificate and does not meet the provisions of §103.1 of this chapter. An experimental certificate will not be issued under this paragraph for these aircraft after January 31, 2008;

(2) Has been assembled—

(i) From an aircraft kit for which the applicant can provide the information required by §21.193(e); and

(ii) In accordance with manufacturer's assembly instructions that meet an applicable consensus standard; or

(3) Has been previously issued a special airworthiness certificate in the light-sport category under §21.190.

[Amdt. 21–21, 38 FR 6858, May 7, 1968, as amended by Amdt. 21–57, 49 FR 39651, Oct. 9, 1984; Amdt. 21–70, 57 FR 41369, Sept. 9, 1992; Amdt. 21–85, 69 FR 44862, July 27, 2004; Amdt. 21–85, 69 FR 53336, Sept. 1, 2004]

§21.193 Experimental certificates: general.

An applicant for an experimental certificate must submit the following information:

(a) A statement, in a form and manner prescribed by the Administrator setting forth the purpose for which the aircraft is to be used.

(b) Enough data (such as photographs) to identify the aircraft.

(c) Upon inspection of the aircraft, any pertinent information found necessary by the Administrator to safeguard the general public.

(d) In the case of an aircraft to be used for experimental purposes—

(1) The purpose of the experiment;

(2) The estimated time or number of flights required for the experiment;

(3) The areas over which the experiment will be conducted; and

(4) Except for aircraft converted from a previously certificated type without appreciable change in the external configuration, three-view drawings or three-view dimensioned photographs of the aircraft.

(e) In the case of a light-sport aircraft assembled from a kit to be certificated in accordance with §21.191(i)(2), an applicant must provide the following:

(1) Evidence that an aircraft of the same make and model was manufactured and assembled by the aircraft kit manufacturer and issued a special airworthiness certificate in the light-sport category.

(2) The aircraft's operating instructions.

(3) The aircraft's maintenance and inspection procedures.

(4) The manufacturer's statement of compliance for the aircraft kit used in the aircraft assembly that meets §21.190(c), except that instead of meeting §21.190(c)(7), the statement must identify assembly instructions for the aircraft that meet an applicable consensus standard.

(5) The aircraft's flight training supplement.

(6) In addition to paragraphs (e)(1) through (e)(5) of this section, for an aircraft kit manufactured outside of the United States, evidence that the aircraft kit was manufactured in a country with which the United States has a Bilateral Airworthiness Agreement concerning airplanes or a Bilateral Aviation Safety Agreement with associated Implementation Procedures for Airworthiness concerning airplanes, or an equivalent airworthiness agreement.

[Docket No. 5085, 29 FR 14569, Oct. 24, 1964, as amended by Amdt. 21–85, 69 FR 44862, July 27, 2004]

§21.195 Experimental certificates: Aircraft to be used for market surveys, sales demonstrations, and customer crew training.

(a) A manufacturer of aircraft manufactured within the United States may apply for an experimental certificate for an aircraft that is to be used for market surveys, sales demonstrations, or customer crew training.

(b) A manufacturer of aircraft engines who has altered a type certificated aircraft by installing different engines, manufactured by him within the United States, may apply for an experimental certificate for that aircraft to be used for market surveys, sales demonstrations, or customer crew training, if the basic aircraft, before alteration, was type certificated in the normal, acrobatic, commuter, or transport category.

(c) A person who has altered the design of a type certificated aircraft may apply for an experimental certificate for the altered aircraft to be used for market surveys, sales demonstrations, or customer crew training if the basic aircraft, before alteration, was type certificated in the normal, utility, acrobatic, or transport category.

(d) An applicant for an experimental certificate under this section is entitled to that certificate if, in addition to meeting the requirements of § 21.193—

(1) He has established an inspection and maintenance program for the continued airworthiness of the aircraft; and

(2) He shows that the aircraft has been flown for at least 50 hours, or for at least 5 hours if it is a type certificated aircraft which has been modified.

[Amdt. 21-21, 33 FR 6858, May 7, 1968, as amended by Amdt. 21-28, 35 FR 2818, Feb. 11, 1970; Amdt. 21-57, 49 FR 39651, Oct. 9, 1984; Amdt. 21-59, 52 FR 1836, Jan. 15, 1987]

§ 21.197 Special flight permits.

(a) A special flight permit may be issued for an aircraft that may not currently meet applicable airworthiness requirements but is capable of safe flight, for the following purposes:

(1) Flying the aircraft to a base where repairs, alterations, or maintenance are to be performed, or to a point of storage.

(2) Delivering or exporting the aircraft.

(3) Production flight testing new production aircraft.

(4) Evacuating aircraft from areas of impending danger.

(5) Conducting customer demonstration flights in new production aircraft that have satisfactorily completed production flight tests.

(b) A special flight permit may also be issued to authorize the operation of an aircraft at a weight in excess of its maximum certificated takeoff weight for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available. The excess weight that may be authorized under this paragraph is limited to the additional fuel, fuel-carrying facilities, and navigation equipment necessary for the flight.

(c) Upon application, as prescribed in §§ 121.79 and 135.17 of this chapter, a special flight permit with a continuing authorization may be issued for aircraft that may not meet applicable airworthiness requirements but are capable of safe flight for the purpose of flying aircraft to a base where maintenance or alterations are to be performed. The permit issued under this paragraph is an authorization, including conditions and limitations for flight, which is set forth in the certificate holder's operations specifications. The permit issued under this paragraph may be issued to—

(1) Certificate holders authorized to conduct operations under Part 121 of this chapter; or

(2) Certificate holders authorized to conduct operations under Part 135 for those aircraft they operate and maintain under a continuous airworthiness maintenance program prescribed by § 135.411 (a)(2) or (b) of that part.

The permit issued under this paragraph is an authorization, including any conditions and limitations for flight, which is set forth in the certificate holder's operations specifications.

(3) Management specification holders authorized to conduct operations under part 91, subpart K, for those aircraft they operate and maintain under a continuous airworthiness maintenance program prescribed by § 91.1411 of this part.

[Doc. No. 5085, 29 FR 14570, Oct. 24, 1964, as amended by Amdt. 21-21, 33 FR 6859, May 7, 1968; Amdt. 21-51, 45 FR 60170, Sept. 11, 1980; Amdt. 21-54, 46 FR 37878, July 23, 1981; Amdt. 21-79, 66 FR 21066, Apr. 27, 2001; Amdt. 21-84, 68 FR 54559, Sept. 17, 2003]