

Subpart J—Delegation Option Authorization Procedures

SOURCE: Amdt. 21–5, 30 FR 11375, Sept. 8, 1965, unless otherwise noted.

§ 21.231 Applicability.

This subpart prescribes procedures for—

(a) Obtaining and using a delegation option authorization for type, production, and airworthiness certification (as applicable) of—

- (1) Small airplanes and small gliders;
- (2) Commuter category airplanes;
- (3) Normal category rotorcraft;
- (4) Turbojet engines of not more than 1,000 pounds thrust;
- (5) Turbopropeller and reciprocating engines of not more than 500 brake horsepower; and
- (6) Propellers manufactured for use on engines covered by paragraph (a)(4) of this section; and

(b) Issuing airworthiness approval tags for engines, propellers, and parts of products covered by paragraph (a) of this section.

[Amdt. 21–5, 30 FR 11375, Sept. 8, 1965, as amended by Amdt. 21–59, 52 FR 1836, Jan. 15, 1987]

§ 21.235 Application.

(a) An application for a Delegation Option Authorization must be submitted, in a form and manner prescribed by the Administrator, to the Aircraft Certification Office for the area in which the manufacturer is located.

(b) An application must include the names, signatures, and titles of the persons for whom authorization to sign airworthiness certificates, repair and alterations forms, and inspection forms is requested.

(c) After November 14, 2006, the Administrator will no longer accept applications for a Delegation Option Authorization.

(d) After November 14, 2009, no person may perform any function contained in a Delegation Option Authorization issued under this subpart.

[Amdt. No. 21–86, 70 FR 59946, Oct. 13, 2005]

§ 21.239 Eligibility.

To be eligible for a delegation option authorization, the applicant must—

(a) Hold a current type certificate, issued to him under the standard procedures, for a product type certificated under the same part as the products for which the delegation option authorization is sought;

(b) Hold a current production certificate issued under the standard procedures;

(c) Employ a staff of engineering, flight test, production and inspection personnel who can determine compliance with the applicable airworthiness requirements of this chapter; and

(d) Meet the requirements of this subpart.

§ 21.243 Duration.

A delegation option authorization is effective until it is surrendered or the Administrator suspends, revokes, or otherwise terminates it.

§ 21.245 Maintenance of eligibility.

The holder of a delegation option authorization shall continue to meet the requirements for issue of the authorization or shall notify the Administrator within 48 hours of any change (including a change of personnel) that could affect the ability of the holder to meet those requirements.

§ 21.247 Transferability.

A delegation option authorization is not transferable.

§ 21.249 Inspections.

Upon request, each holder of a delegation option authorization and each applicant shall let the Administrator inspect his organization, facilities, product, and records.

§ 21.251 Limits of applicability.

(a) Delegation option authorizations apply only to products that are manufactured by the holder of the authorization.

(b) Delegation option authorizations may be used for—

- (1) Type certification;
- (2) Changes in the type design of products for which the manufacturer holds, or obtains, a type certificate;

(3) The amendment of a production certificate held by the manufacturer to include additional models or additional types for which he holds or obtains a type certificate; and

(4) The issue of—

(i) Experimental certificates for aircraft for which the manufacturer has applied for a type certificate or amended type certificate under § 21.253, to permit the operation of those aircraft for the purpose of research and development, crew training, market surveys, or the showing of compliance with the applicable airworthiness requirements;

(ii) Airworthiness certificates (other than experimental certificates) for aircraft for which the manufacturer holds a type certificate and holds or is in the process of obtaining a production certificate;

(iii) Airworthiness approval tags (FAA Form 8130-3) for engines and propellers for which the manufacturer holds a type certificate and holds or is in the process of obtaining a production certificate; and

(iv) Airworthiness approval tags (FAA Form 8130-3) for parts of products covered by this section.

(c) Delegation option procedures may be applied to one or more types selected by the manufacturer, who must notify the FAA of each model, and of the first serial number of each model manufactured by him under the delegation option procedures. Other types or models may remain under the standard procedures.

(d) Delegation option authorizations are subject to any additional limitations prescribed by the Administrator after inspection of the applicant's facilities or review of the staff qualifications.

[Amdt. 21-5, 30 FR 11375, Sept. 8, 1965, as amended by Amdt. 21-31, 35 FR 7292, May 9, 1970; Amdt. 21-43, 40 FR 2576, Jan. 14, 1975]

§ 21.253 Type certificates: application.

(a) To obtain, under the delegation option authorization, a type certificate for a new product or an amended type certificate, the manufacturer must submit to the Administrator—

(1) An application for a type certificate (FAA Form 312);

(2) A statement listing the airworthiness requirements of this chapter (by part number and effective date) that the manufacturer considers applicable;

(3) After determining that the type design meets the applicable requirements, a statement certifying that this determination has been made;

(4) After placing the required technical data and type inspection report in the technical data file required by § 21.293(a)(1)(i), a statement certifying that this has been done;

(5) A proposed type certificate data sheet; and

(6) An Aircraft Flight Manual (if required) or a summary of required operating limitations and other information necessary for safe operation of the product.

§ 21.257 Type certificates: issue.

An applicant is entitled to a type certificate for a product manufactured under a delegation option authorization if the Administrator finds that the product meets the applicable airworthiness, noise, fuel venting, and exhaust emission requirements (including applicable acoustical change or emissions change requirements in the case of changes in type design).

[Amdt. 21-68, 55 FR 32860, Aug. 10, 1990]

§ 21.261 Equivalent safety provisions.

The manufacturer shall obtain the Administrator's concurrence on the application of all equivalent safety provisions applied under § 21.21.

§ 21.267 Production certificates.

To have a new model or new type certificate listed on his production certificate (issued under Subpart G of this part), the manufacturer must submit to the Administrator—

(a) An application for an amendment to the production certificate;

(b) After determining that the production certification requirements of Subpart G, with respect to the new model or type, are met, a statement certifying that this determination has been made;

(c) A statement identifying the type certificate number under which the product is being manufactured; and

(d) After placing the manufacturing and quality control data required by