

**Subpart A—General****§ 23.1 Applicability.**

(a) This part prescribes airworthiness standards for the issue of type certificates, and changes to those certificates, for airplanes in the normal, utility, acrobatic, and commuter categories.

(b) Each person who applies under Part 21 for such a certificate or change must show compliance with the applicable requirements of this part.

[Doc. No. 4080, 29 FR 17955, Dec. 18, 1964, as amended by Amdt. 23-34, 52 FR 1825, Jan. 15, 1987]

**§ 23.2 Special retroactive requirements.**

(a) Notwithstanding §§ 21.17 and 21.101 of this chapter and irrespective of the type certification basis, each normal, utility, and acrobatic category airplane having a passenger seating configuration, excluding pilot seats, of nine or less, manufactured after December 12, 1986, or any such foreign airplane for entry into the United States must provide a safety belt and shoulder harness for each forward- or aft-facing seat which will protect the occupant from serious head injury when subjected to the inertia loads resulting from the ultimate static load factors prescribed in § 23.561(b)(2) of this part, or which will provide the occupant protection specified in § 23.562 of this part when that section is applicable to the airplane. For other seat orientations, the seat/restraint system must be designed to provide a level of occupant protection equivalent to that provided for forward- or aft-facing seats with a safety belt and shoulder harness installed.

(b) Each shoulder harness installed at a flight crewmember station, as required by this section, must allow the crewmember, when seated with the safety belt and shoulder harness fastened, to perform all functions necessary for flight operations.

(c) For the purpose of this section, the date of manufacture is:

(1) The date the inspection acceptance records, or equivalent, reflect that the airplane is complete and meets the FAA approved type design data; or

(2) In the case of a foreign manufactured airplane, the date the foreign civil airworthiness authority certifies the airplane is complete and issues an original standard airworthiness certificate, or the equivalent in that country.

[Amdt. 23-36, 53 FR 30812, Aug. 15, 1988]

**§ 23.3 Airplane categories.**

(a) The normal category is limited to airplanes that have a seating configuration, excluding pilot seats, of nine or less, a maximum certificated takeoff weight of 12,500 pounds or less, and intended for nonacrobatic operation. Nonacrobatic operation includes:

(1) Any maneuver incident to normal flying;

(2) Stalls (except whip stalls); and

(3) Lazy eights, chandelles, and steep turns, in which the angle of bank is not more than 60 degrees.

(b) The utility category is limited to airplanes that have a seating configuration, excluding pilot seats, of nine or less, a maximum certificated takeoff weight of 12,500 pounds or less, and intended for limited acrobatic operation. Airplanes certificated in the utility category may be used in any of the operations covered under paragraph (a) of this section and in limited acrobatic operations. Limited acrobatic operation includes:

(1) Spins (if approved for the particular type of airplane); and

(2) Lazy eights, chandelles, and steep turns, or similar maneuvers, in which the angle of bank is more than 60 degrees but not more than 90 degrees.

(c) The acrobatic category is limited to airplanes that have a seating configuration, excluding pilot seats, of nine or less, a maximum certificated takeoff weight of 12,500 pounds or less, and intended for use without restrictions, other than those shown to be necessary as a result of required flight tests.

(d) The commuter category is limited to propeller-driven, multiengine airplanes that have a seating configuration, excluding pilot seats, of 19 or less, and a maximum certificated takeoff weight of 19,000 pounds or less. The commuter category operation is limited to any maneuver incident to normal flying, stalls (except whip stalls),