

(1) By tests upon an airplane of the type for which certification is requested, or by calculations based on, and equal in accuracy to, the results of testing; and

(2) By systematic investigation of each probable combination of weight and center of gravity, if compliance cannot be reasonably inferred from combinations investigated.

(b) The following general tolerances are allowed during flight testing. However, greater tolerances may be allowed in particular tests:

Item	Tolerance
Weight .....	+5%, -10%.
Critical items affected by weight .....	+5%, -1%.
C.G .....	±7% total travel.

**§ 23.23 Load distribution limits.**

(a) Ranges of weights and centers of gravity within which the airplane may be safely operated must be established. If a weight and center of gravity combination is allowable only within certain lateral load distribution limits that could be inadvertently exceeded, these limits must be established for the corresponding weight and center of gravity combinations.

(b) The load distribution limits may not exceed any of the following:

- (1) The selected limits;
- (2) The limits at which the structure is proven; or
- (3) The limits at which compliance with each applicable flight requirement of this subpart is shown.

[Doc. No. 26269, 58 FR 42156, Aug. 6, 1993]

**§ 23.25 Weight limits.**

(a) *Maximum weight.* The maximum weight is the highest weight at which compliance with each applicable requirement of this part (other than those complied with at the design landing weight) is shown. The maximum weight must be established so that it is—

- (1) Not more than the least of—
  - (i) The highest weight selected by the applicant; or
  - (ii) The design maximum weight, which is the highest weight at which compliance with each applicable structural loading condition of this part (other than those complied with at the design landing weight) is shown; or

(iii) The highest weight at which compliance with each applicable flight requirement is shown, and

(2) Not less than the weight with—

(i) Each seat occupied, assuming a weight of 170 pounds for each occupant for normal and commuter category airplanes, and 190 pounds for utility and acrobatic category airplanes, except that seats other than pilot seats may be placarded for a lesser weight; and

(A) Oil at full capacity, and

(B) At least enough fuel for maximum continuous power operation of at least 30 minutes for day-VFR approved airplanes and at least 45 minutes for night-VFR and IFR approved airplanes; or

(ii) The required minimum crew, and fuel and oil to full tank capacity.

(b) *Minimum weight.* The minimum weight (the lowest weight at which compliance with each applicable requirement of this part is shown) must be established so that it is not more than the sum of—

(1) The empty weight determined under § 23.29;

(2) The weight of the required minimum crew (assuming a weight of 170 pounds for each crewmember); and

(3) The weight of—

(i) For turbojet powered airplanes, 5 percent of the total fuel capacity of that particular fuel tank arrangement under investigation, and

(ii) For other airplanes, the fuel necessary for one-half hour of operation at maximum continuous power.

[Doc. No. 4080, 29 FR 17955, Dec. 18, 1964, as amended by Amdt. 23-7, 34 FR 13086, Aug. 13, 1969; Amdt. 23-21, 43 FR 2317, Jan. 16, 1978; Amdt. 23-34, 52 FR 1825, Jan. 15, 1987; Amdt. 23-45, 58 FR 42156, Aug. 6, 1993; Amdt. 23-50, 61 FR 5183, Feb. 9, 1996]

**§ 23.29 Empty weight and corresponding center of gravity.**

(a) The empty weight and corresponding center of gravity must be determined by weighing the airplane with—

- (1) Fixed ballast;
- (2) Unusable fuel determined under § 23.959; and
- (3) Full operating fluids, including—
  - (i) Oil;
  - (ii) Hydraulic fluid; and