



Federal Aviation  
Administration

# Part 21

## Final Rule Briefing

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## Topics Covered in This Briefing

- **Discussion of the Rule**
- **Section-by-Section Review of the Rule Changes**
- **Implementation Plan**
- **Orders and Advisory Circulars Affected by the Rule**
- **Additional Information**

•The first topic, Discussion of the Rule, covers major changes that were made to the rule.

•The next topic, Section-by-Section Review of the Rule Changes, is a review of all the other changes not previously covered in the Discussion of the Rule.

•Next is the Implementation Plan. In the Implementation Plan, we discuss compliance dates for the rule; communications to the field, industry, and other authorities; and follow-up actions. This includes a reference to the part 21 website being developed by AIR-200, the part 21 information video, briefings, fact sheets, and contact information.

•The next topic, Orders and ACs Affected by the Rule, includes a detailed list of Orders and ACs that are being updated to include the new rule language.

•Finally, Addition Information includes derivation and distribution tables to show where a particular rule came from or went to.

## Discussion of the Rule

This section covers major changes to the rule.

## Global Changes

- Removed “Administrator” and replaced with “FAA”
- Removed “shall” and replaced with “must”
- Removed “type certificate only” and replaced with “type certificate”

The following changes were made throughout the rule:

We removed the word “Administrator” and replaced it with “FAA”.

We removed the word “shall” wherever it was reflected, and replaced it with the term “must”

We removed the word “only” from the term “type certificate”

## Title Changes

- Part 21 – Certification Procedures for Products, Articles, and Parts
- Subpart K – Parts Manufacturer Approvals
- Subpart O – Technical Standard Order Approvals
- Part 45 Subpart B – Marking of Products and Articles

- Part 21 – The title of part 21 was changed to include the term “article”, which is defined in subpart A under definitions.
- Subpart K – Subpart K was changed to reflect that the subpart is limited to parts manufacturer approvals only. References to former section 21.303 and 21.305 have been relocated to facilitate this change.
- Subpart O – The title of subpart O was changed from “Technical Standard Order Authorizations” to “Technical Standard Order Approvals”. This change was made to standardize the rule language and clarify that a TSO authorization is an approval, not a certificate. This is similar to subpart K, Parts Manufacturer Approval.
- Part 45, Subpart B – Subpart B was retitled to reflect the use of the term “article”.

## Subparts A - E

- § 21.1(b) - Definitions
  - Airworthiness Approval
  - Article
  - Commercial part
  - Design Approval
  - Product
  - Production Approval
  - State of Design
  - State of Manufacture

**Airworthiness Approval** – Means a document issued by the FAA for an aircraft, aircraft engine, propeller, or article which certifies that the aircraft, aircraft engine, propeller, or article conforms to its approved design and is in a condition for safe operation;

**Article** – Means a material, part, component, process, or appliance;

**Commercial Part** – means an article that is listed on an FAA-approved Commercial Parts List included in a design approval holder's Instructions for Continued Airworthiness required by §21.50;

**Design Approval** – Means a type certificate (including amended and supplemental type certificates) or the approved design under a PMA, TSO authorization, letter of TSO design approval, or other approved design;

**Product** – Means an aircraft, aircraft engine, or propeller;

**Production Approval** – Means a document issued by the FAA to a person that allows the production of a product or article in accordance with its approved design and approved quality system, and can take form of a production certificate, a PMA, or a TSO authorization;

**State of Design** – Means the country or jurisdiction having regulatory authority over the organization responsible for the design and continued airworthiness of a civil aeronautical product or article;

**State of Manufacture** – Means the country or jurisdiction having regulatory authority over the organization responsible for the production and airworthiness of a civil aeronautical product or article.

## Subparts A - E

- 21.3 – Reporting of failures, malfunctions, and defects
- 21.8 – Approval of articles
- 21.9 – Relocates and combines former 21.303(a) & (b)
- 21.20 – Applicant's certifying statement
- 21.47 – TC transfer changes
- 21.50 – Instructions for continued airworthiness
- 21.97 – Approval of major changes in type design

§ 21.3 - Amended to require that all Production Approval Holders, instead of just TSO authorization holders, to report the results of their investigations into certain accident or service difficulty reports to us. They have always had reporting requirements for 21.3(c) occurrences as other design approval holders, but were the only ones that were explicitly identified under 21.3(f) that had to report as a result of an accident or service difficulty report.

§ 21.8 – Is a new rule that relocates the requirements of former § 21.305. These requirements are directed to all persons and more appropriately belong in a general subpart.

§ 21.9 – Is a new rule that is made up of previous §§ 21.303(a) and (b) from subpart K and combines the information into one paragraph as § 21.9(a). By moving these sections, it allows us to limit subpart K to PMA only. Furthermore, it amends the relocated sections to strengthen our ability to take compliance and enforcement action against producers of unapproved parts. There is little functional change to the PMA process brought on by the new § 21.9.

§ 21.20 - Is a new rule and in paragraph (a) requires an applicant for a type certificate, including an amended or supplemental type certificate, to show compliance with all applicable requirements and to provide the FAA the means by which such compliance has been shown. Section 21.20 emphasizes that it is the **applicant** who is responsible for satisfying all applicable requirements, not the FAA. This rule allows the FAA to exercise greater discretion in prioritizing its review of applications, to more effectively assign resources supporting the application process, and to select which aspects of an application to review more closely. Paragraph (b) requires an applicant for a TC, including an amended or supplemental TC, to provide a statement certifying that the applicant has complied with the applicable requirements. The certifying statement focuses the applicant on its responsibility to comply with applicable requirements. The certifying statement is also subject to the §21.2 requirements related to fraudulent, intentionally false, or misleading statements.

§ 21.47 - Changes the requirement for the timing of the notification for TC transfers. It now requires notification before the transfer of a certificate or before executing or terminating a licensing agreement. This will provide us time to coordinate between our affected offices and to inform the prospective applicant of their responsibilities. It also revises this section to require a transferee to notify the FAA of TC transfer where the State of Design is changing before the transfer occurs. This change is intended to provide the FAA time to coordinate with a prospective State of Design to support and execute a TC transfer. This is consistent with the ICAO requirements.

§ 21.50 - Adds paragraph (c), which defines the requirements for designating commercial parts. In order to designate a part as commercial, the holder of a design approval must submit: (1) A Commercial Parts List; (2) Data for each part on the List showing that: (i) The failure of the commercial part, as installed in the product, would not degrade the level of safety of the product; and (ii) The part is produced only under the commercial part manufacturer's specification and marked only with the commercial part manufacturer's markings; and (3) Any other data necessary for the FAA to approve the List. The requirements for commercial parts is listed under the ICAW so that design approval holders are reminded that they must make available any commercial parts list that has been approved.

§ 21.97 - Requires an applicant for an approval of a major change in type design to: (1) Provide substantiating data and necessary descriptive data for inclusion in the type design; (2) Show that the changed product complies with the applicable requirements and provide the FAA the means by which such compliance has been shown; and (3) Provide a statement certifying that the applicant has complied with the applicable requirements.

## Subparts F, G, K, & O

Organization	Issuance
Quality system	Duration
Quality system documentation	Transferability
Location of manufacturing facilities	Responsibility of the holder
Inspecting and testing	Changes to the quality system

Substantive changes have been made to these subparts. The common requirements fall into 10 main areas:

Organization

Quality system

Quality system documentation

Location of manufacturing facilities

Inspections and tests

Issuance

Duration

Transferability

Responsibility of the holder, and

Changes to the quality system

## Subparts F, G, K, & O

- Organization
  - Assigned responsibilities
  - Delegated authority
  - Functional relationship of quality to management

**Organization** – Section 21.135, 21.305, and 21.605 require that each applicant or current PAH provide the FAA with a document describing how the applicant’s organization will ensure compliance with the provisions of the applicable subpart. At a minimum, the document must describe assigned responsibilities and delegated authority, and the functional relationship of those responsible for quality to management and other organizational components.

The FAA understands the need for various business models and organizational structures. The intent of this requirement is to obtain a commitment from the top management to 1) establish a quality system that complies with the applicable subchapter and ensures that each product and article conforms to its approved design and is in a condition for safe operation and 2) continually improve that quality system.

## Subparts F, G, K, & O

- Quality System
  - Design data control
  - Document control
  - Supplier control
  - Manufacturing process control
  - Inspecting and testing
  - Inspection, measuring, & test equipment control
  - Inspection & test status

**Quality System** - This is the most complex change to the rule. Previously, the quality system requirements for PMAs were different from quality system requirements for PCs and TSO authorizations. The new rule standardizes the quality system requirements for all PAHs. Section 21.137, .307, and .607 requires that each applicant or current PAH establish and describe in writing a quality system which addresses as a minimum the 14 elements as defined in § 21.137(a) through (n) below.

It is imperative that the ASI understand that these 14 basic elements are scalable. By this we mean that the scope and complexity of the quality system should be directly related to the size, complexity and criticality of the product or article being manufactured by the PAH.

**Design Data Control** – Procedures for controlling design data and subsequent changes to ensure that only current, correct, and approved data is used.

**Document Control** – Procedures for controlling quality system documents and data and subsequent changes to ensure that only current, correct, and approved documents and data are used.

**Supplier Control** – Procedures that – (1) Ensure that each supplier-furnished product or article conforms to its approved design; and (2) Require each supplier to report to the production approval holder if a product or article has been released from that supplier and subsequently found not to conform to the applicable design data.

**Manufacturing Process Control** – Procedures for controlling manufacturing processes to ensure that each product and article conforms to its approved design.

**Inspecting and Testing** – Procedures for inspections and tests used to ensure that each product and article conforms to its approved design. These procedures must include the following, as applicable: (1) A flight test of each aircraft produced unless that aircraft will be exported as an unassembled aircraft; and (2) A functional test of each aircraft engine and each propeller produced.

**Inspection, Measuring, and Test Equipment Control** – Procedures to ensure calibration and control of all inspection, measuring, and test equipment used in determining conformity of each product and article to its approved design. Each calibration standard must be traceable to a standard acceptable to the FAA.

**Inspection & Test Status** – Procedures for documenting the inspection and test status of products and articles supplied or manufactured to the approved design.

## Subparts F, G, K, & O

- Quality System Continued
  - Nonconforming product & article control
  - Corrective & preventive actions
  - Handling & storage
  - Control of quality records
  - Internal audits
  - In-service feedback
  - Quality escapes

**Non-conforming Product and Article** – Procedures to ensure that – (1) Only products or articles that conform to their approved design are installed on a type-certificated product. These procedures must provide for the identification, documentation, evaluation, segregation, and disposition of nonconforming products and articles. Only authorized individuals may make disposition determinations; and (2) Discarded articles are rendered unusable.

**Corrective and Preventive Actions** – Procedures for implementing corrective and preventive actions to eliminate the causes of an actual or potential nonconformity to the approved design or noncompliance with the approved quality system.

**Handling and Storage** – Procedures to prevent damage and deterioration of each product and article during handling, storage, preservation, and packaging.

**Control of Quality Records** – Procedures for identifying, storing, protecting, retrieving, and retaining quality records. A PAH must retain these records for at least 5 years for the products and articles manufactured under the approval and at least 10 years for critical components.

**Internal Audits** – Procedures for planning, conducting, and documenting internal audits to ensure compliance with the approved quality system. The procedures must include reporting results of internal audits to the manager responsible for implementing corrective and preventive actions.

**In-service Feedback** – Procedures for receiving and processing feedback on in-service failures, malfunctions, and defects. These procedures must include a process for assisting the design approval holder to – (1) Address any in-service problem involving design changes; and (2) Determine if any changes to the Instructions for Continued Airworthiness are necessary.

**Quality Escapes** – Procedures for identifying, analyzing, and initiating appropriate corrective action for products or articles that have been released from the quality system and that do not conform to the applicable design data or quality system requirements.

## Subparts F, G, K, & O

- Quality Manual
  - Must describe the quality system
  - Must be in English
  - Must be approved by FAA
- Location of or change to manufacturing facilities
  - Prior approval by FAA for changes in location
  - Immediate notification to FAA for facility changes that may affect the inspection, conformity, or airworthiness of its products or articles

**Quality Manual** - Sections 21.138, 21.308, and 21.608 require that each applicant for or holder of a production approval provide a manual describing its quality system to the FAA for approval. The manual must be in the English language and retrievable in a form acceptable to the FAA.

- (a) If the quality manual is stored digitally through a computer-based medium, it should be easily available to PAH and FAA personnel who need to use the documentation for performing their duties.
- (b) Applicants for a production approval or current PAHs are reminded that the manual must, as a minimum, address each of the requirements listed under the quality system above.

**Location of or change to manufacturing facilities** – Sections 21.139, 21.309, and 21.609 standardize the language of former §§ 21.137, 21.303(g), and 21.601(c) pertaining to the location of manufacturing facilities for a holder of a PC, PMA, and TSO authorization. The rule adds a requirement that PAHs, including those manufacturing under a TC, obtain prior approval from the FAA for changes to the location of any of their manufacturing facilities. This rule adds a requirement that PAHs immediately notify the FAA, in writing, of any change to their manufacturing facilities that may affect the inspection, conformity, or airworthiness of its products or articles. This requirement also applies to holders of a TC (21.122).

The intent of this rule is to standardize the requirements governing changes in manufacturing facilities for all PAHs. Manufacturing facilities are those that are listed on the PC, PMA letter, or TSO authorization, and operate under the PAH's quality system. A change in a manufacturing facility may be addressed by an approval process instead of a certificate termination and re-application process previously required by §§ 21.159 and 21.143. This approval process enhances safety by ensuring that we have an appropriate level of oversight to changes for all PAHs manufacturing facilities.

This requirement does not apply to suppliers. With respect to suppliers, the FAA approves the supplier control procedures a PAH uses in selecting and controlling its suppliers. A change in the supply base would not require our approval unless we would incur an undue burden in performing surveillance at the supplier facility (i.e., international suppliers).

## Subparts F, G, K, & O

- Inspections and tests
  - Must provide access manufacturing facilities
  - Must provide access to supplier facilities
- Issuance
  - After FAA finds compliance to the applicable requirements
- Duration
  - Production approval is effective until surrendered, suspended, revoked, or terminated by the FAA
  - PC, PMA and TSO unique requirement (see applicable subpart)
- Transferability
  - No current provisions

**Inspections and tests** - Sections 21.140, 21.310, and 21.610 require that each applicant or holder of a production approval allow the FAA to inspect its quality system, facilities, technical data, and any manufactured products or articles, and witness any tests, including any inspections or tests at a supplier facility, necessary to determine compliance with the applicable subchapter. This requirement also applies to holders of a TC (21.123).

**Issuance** - Sections 21.141, 21.311, and 21.611 require the FAA to issue a production approval after finding that the applicant complies with their applicable requirements.

*The rule change also removes the implication that a production certificate is an entitlement and to clarify that the issuance of a production certificate is contingent on the applicant meeting other requirements*

**Duration** - Sections 21.143, 21.313, and 21.613 prescribe that a production approval is effective until surrendered, suspended, revoked, or terminated by the FAA. Minor differences exist between the duration of a PC and that of a PMA or TSO authorization. Section 21.613 also contains other requirements specific to TSO authorization holders.

**Transferability** - Sections 21.144, 21.314, and 21.614 states that the holder of a production approval may not transfer the production approval or letter of TSO design approval.

While there are no provisions for transferring a production approval, the FAA recognizes that companies change hands frequently. In many cases, design data, quality systems, and manufacturing processes are all transferred as part of the sale. Therefore, the FAA does support efforts to expedite and establish a new production approval.

## Subparts F, G, K, & O

- Responsibility of the holder
  - Amend document describing the organization
  - Maintain the quality system
  - Ensure conformity and condition for safe operation
  - Mark in accordance with Part 45
  - Identify approved parts that leave the manufacturer's facility
  - Access to necessary type design data
  - Retain documents granting the production approval
  - Make available to the FAA information regarding delegation of authority to suppliers

**Responsibility of the holder** - While this area of the rule has slight differences between G, K & O they are substantially the same. The holder of a production approval has the responsibility for controlling the manufacture of completed products and articles in conformity with the FAA-approved type design data and quality system requirements. This responsibility cannot be delegated to or relieved by the use of approved suppliers, risk and/or revenue sharing partners, co-producers, etc.

Paragraph (a) of each section requires the PAH to document changes in its organization. This is accomplished by amending the document required by §§ 21.135, 21.305, and 21.605 respectively, detailing how the organization will comply with the provisions of this subpart. The PAH must provide these amendments to the FAA.

Paragraph (b) of each section requires the PAH to maintain its quality system in compliance with the data and procedures approved for its production approval.

Paragraph (c) of each section requires a PAH to ensure that each product or article conforms to its approved design and is in a condition for safe operation.

Paragraph (d), requires PAHs to mark the product or article, including any critical parts, for which they have been granted a certificate or approval, in accordance with Part 45. This requirement also applies to production under TC (21.123).

Paragraph (e), requires PAH to identify any parts of that product or article (e.g., sub-assemblies or component parts) that leave the manufacturer's facility as FAA approved with the manufacturer's part number and name, trademark, symbol, or other FAA approved manufacturer's identification. This requirement also applies to production under TC (21.123).

Paragraph (f) of each section requires PAHs to have access to type design data necessary to determine conformity and airworthiness for each product and article produced under its production approval. TSO authorization holders have the additional requirement to retain this data until it no longer manufactures the article. At that time, copies of the data must be sent to the FAA.

Paragraph (g) of each section requires a PAH to retain the documents granting the production approval and make them available to the FAA upon request.

Paragraph (h) of each section requires a PAH to make available to the FAA information regarding all delegation of authority to suppliers. These delegations include, for example, delegations for the purpose of performing major inspections, delegations related to direct ship authorization, and those delegations related to the disposition of nonconforming material.

## Subparts F, G, K, & O

- Changes to the quality system
  - Each change is subject to review
  - Immediate notification to FAA for changes that may affect the inspection, conformity, or airworthiness of its products or articles

**Changes to the quality system** - Previously § 21.147, required all PC holders, to notify the FAA of any change that may affect the inspection, conformity, or airworthiness of its product. This rule retains that requirement and now, in addition to products, extends it to “articles”.

Sections 21.150, 21.320, and 21.620 establishes that each change to the quality system is subject to review by the FAA; and that the PAH must immediately notify the FAA, in writing, of any change that may affect the inspection, conformity, or airworthiness of its product or article. PAHs who wish to initiate changes to the quality system should submit the proposed changes to the office with certificate management responsibilities.

## Subpart L

- Global acceptance & movement of parts
  - Deleted export classes I, II, & III
  - Export C of A (8130-4) – issued for A/C only
  - ARC (Form 8130-3) – issued for engines, propellers, & articles
  - Removed restrictions on exporters of Class III products
  - Removed requirement that Class II/III products manufactured under an FAA PAH be located in the U.S.

**Subpart L** - Subpart L has been completely restructured to facilitate global acceptance & movement of products & articles.

• Deleted the definitions & usage of the terms, Class I, II, & III products. The terms product & article are consistent throughout part 21. The reason for eliminating classes is there was constant confusion on what was a class II and what was a class III part. By calling everything other than a product an article, it eliminates this confusion.

• Export C of A (FAA Form 8130-4) will be issued [by the FAA] only for aircraft.

• ARC (FAA Form 8130-3) will be used to export engines, propellers, & articles. E-cards will no longer be required for engines and propellers.

• Removes the [§21.323(b)] restrictions related to who may obtain an Export A/W Approval for former “Class III products.” Facilitates global movement/acceptance of parts.

• Removes the [§21.325(b)(3)] export requirement that Class II & III products manufactured under an FAA PAH be located in the U.S. in order to have an ARC (8130-3) issued.

-Addresses a recurring exemption

-Use designees to reduce burden on FAA

## Subpart L

- Global acceptance & movement of parts
  - Allows for export approvals of used engines, propellers, and articles under certain conditions
  - Removes requirement that used engines & propellers be newly overhauled
  - No longer specifically addresses requirements of importing countries, but FAA is still obligated to comply if requirements are specified in:
    - Bilateral agreement, or
    - Document formally submitted to FAA for publication in AC 21-2

-Allows export approvals for used engines, propellers, and articles under certain conditions

-Removes the requirement that used engines & propellers be newly overhauled. Intent is to allow importing airworthiness authorities to decide what is acceptable for importing.

-Relocates the requirements of importing countries to policy. We are still obligated to comply with importing country requirements prior to issuance of an export airworthiness approval if those requirements are specified in:

-A bilateral agreement, or

-A document formally submitted to us for publication in AC 21-2

## Part 45

- Consolidated part marking requirements to part 45
- Clarifies conditions required for marking
- Changes to 45.11 aircraft identification plate location
- Changes to 45.15 marking requirements
  - Standardizes marking requirements for PMA articles, TSO articles, and critical parts
  - Deletes “installation eligibility” requirement for PMA articles

**Part 45, Identification and Registration Marking** - Part 21 contained, in numerous locations, part marking requirements. We are taking this opportunity to consolidate all the marking requirements into one place, part 45, *Identification and Registration Marking*. The marking requirements identify the person authorized to produce that product or article, and also provide a reference to the corresponding approved design data. Furthermore, these markings constitute a representation from that person that the given product or article conforms to its approved design. Only the person authorized to produce the product or article may make this representation. This does not preclude a supplier of a production approval holder from applying markings in accordance with requirements from that production approval holder and procedures approved by the FAA. Further, it does not preclude applying in-process markings throughout the manufacturing process if necessary. It does preclude a person from identifying a product or article in accordance with this subpart unless that product or article conforms to its approved design, and is in a condition for safe operation; and, for a TSO article; that TSO article meets the applicable performance standards.

**Marking of Products** - There are changes to aircraft identification plate location requirements of § 45.11, *Marking of Products*. A new paragraph (g) provides relief from the aircraft data plate location requirement of paragraph (a).

In the past, we have granted exemptions to §45.11, allowing operators to locate the data plate near the entrance of the aircraft rather than on the exterior of the aircraft near the tail. We have consistently determined that the justifications for granting these exemptions are valid and that granting these exemptions is in the public interest.

Rather than continue to issue exemptions, we have created an exception to the requirement. Aircraft produced for air carriers, commuter ops, gliders, & export may now place the data plate at an accessible location near the aircraft entrance.

**Marking Requirements for PMA Articles, TSO Articles, and Critical Parts** - The changed § 45.15, *Marking Requirements for PMA Articles, TSO articles, and Critical Parts* standardizes and consolidates marking requirements for PMA articles, TSO articles, and critical parts, including an identifier of the person who manufactured the part and the part numbering. In addition, TSO articles require the TSO number and letter of designation; any markings specifically required by the applicable TSO; and the serial number or date of manufacture or both, unless otherwise specified in the applicable TSO. The requirement to mark PMA articles with “FAA-PMA” remains in effect. However, “installation eligibility” has been removed. Installation eligibility remains a part of the PMA supplement.

## **Section-by-Section Review of the Rule Changes**

This section covers other changes made to the rule.

## Section-by-Section Review of Rule Changes

- 21.1 – Applicability and definitions
- 21.2 – Falsification of applications, reports, or records
- 21.3 – Reporting of failures, malfunctions, & defects
- 21.5 – Airplane or Rotorcraft Flight Manual
- 21.8 – Approval of articles

§ **21.1(a)(1)** – Provides procedural requirements for issuing and changing the following types of approvals or certificates that Part 21 addresses: Design approvals; production approvals; airworthiness certificates; and airworthiness approvals.

§ **21.1(a)(2)** – Imposes procedural requirements on applicants for, in addition to holders of, any approvals or certificates specified in § 21.1(a)(1).

§ **21.2(a)(1)** – Adds that “misleading statement” may be treated as seriously as a fraudulent or intentionally false statement.

§ **21.2(a)(2)** – Now encompasses any record or report that is required to be kept, made, or used to show compliance with any requirement of that part.

§ **21.2(b)** – Defines consequences for committing prohibited actions that occur before a certificate or approval is issued. Expands the consequences for committing prohibited actions to include denying issuance of any certificate or approval under that part.

§ **21.3(d)(2)** – Clarifies that approvals, not type certificates, are issued under proposed

§ 21.621.

§ **21.3(e)(3)** – Replaces specific product and article marking requirements with a reference to part 45 where these marking requirements are defined.

§ **21.3(f)** – Expands reporting requirements to all PAHs.

§ **21.5** – Revises this section to incorporate global language amendments. This section has also been expanded to now apply to the holders of amended type certificates.

§ **21.8** – Relocates the requirements of former § 21.305, Approval of materials, parts, processes, and appliances, to the new § 21.8 in subpart A. The requirements of § 21.305 are directed to all persons, and more appropriately belong in a general subpart. Relocation also allows us to address only PMA requirements in subpart K.

## Section-by-Section Review of Rule Changes

- 21.9 - Replacement and modification articles
- 21.15 – Application for type certificate
- 21.20 – Compliance with applicable requirements
- 21.21 – Issue of type certificate: Normal, utility, acrobatic, commuter, and transport category aircraft; manned free balloons; special classes of aircraft; aircraft engines; propellers
- 21.27 – Issue of type certificate: Surplus aircraft of the Armed Forces

§ **21.9(a)** – Amends subpart A by relocating § 21.303(a) and (b) from subpart K and combining the information into one paragraph under § 21.9. Also prohibits a person who knows or should know that a replacement or modification article is reasonably likely to be installed on a type-certificated product from producing that article unless they do so in accordance with the requirements established in § 21.9(a)(1) through (6).

§ **21.9(a)(4)** – Adds a new category called “commercial parts” for the use of replacement and modification articles as defined in § 21.9(b).

§ **21.9(a)(6)** – Adds an exception for replacement or modification articles produced and installed on a product or article under Part 43.

§ **21.9(b)** – Prohibits a person who produces a replacement or modification article for sale from representing that article as suitable for installation on a type-certificated product, except under the provisions of § 21.9(a)(1) and (a)(2).

§ **21.9(c)** – Adds the provision for surplus U.S. Armed Forces articles used on certificated U.S. Armed Forces surplus aircraft.

§ **21.15** – Amends § 21.15(a) by replacing “Aircraft Certification Office” with “aircraft certification office” per the GPO style guide.

§ **21.20** – Amends subpart B by creating a new § 21.20. The section requires an applicant for a TC, including amended or supplemental type certificates, to show compliance with all applicable requirements and to provide the FAA the means by which such compliance has been shown. The applicant must also provide a statement certifying compliance to the applicable requirements.

§ **21.21** – Revises § 21.21 to incorporate global language amendments.

§ **21.27** – Revises § 21.27 to incorporate global language amendments.

## Section-by-Section Review of Rule Changes

- 21.29 – Issue of type certificate: Import products
- 21.33 – Inspection and tests
- 21.45 – Privileges
- 21.47 – Transferability
- 21.50 – Instructions for continued airworthiness
- 21.53 – Statement of conformity

§ **21.29** – Revises § 21.29 to incorporate global language amendments.

§ **21.33** – Revises § 21.33 to incorporate global language amendments.

§ **21.45** – Amends paragraph (b) to correct a typographical error. Also, the words “§§ 21.133 through 21.163” found in paragraph (c) have been replaced with “subpart G of this part”.

§ **21.47** – Revises § 21.47 to change the requirement for the timing of the notification for TC transfers where the State of Design remains the same, and for TC licensing agreements. We now require notification before the transfer or before executing or terminating a licensing agreement to provide us time to coordinate between our affected offices and to inform the prospective applicant of its responsibilities. We are also requiring a holder of a FAA TC to notify us of a transfer where the State of Design is changing before the transfer occurs. This change is intended to provide us time to coordinate with the aviation authority of a prospective State of Design to support and execute a TC transfer. This coordination is consistent with the applicable ICAO Airworthiness Manual.

§ **21.50** – Revises § 21.50 to require a Design Approval Holder (DAH) to submit to the FAA a list of parts it has designated as commercial in accordance with the provisions of § 21.50(c). The FAA may make a finding that a part will be designated as commercial if the DAH: (1) provides data to the FAA showing that the failure of the commercial part, as installed in the product, would not degrade the level of safety of the product, (2) shows that the part is produced only under the commercial part manufacturer’s markings, and (3) provides any other data the FAA requires to approve the Commercial Parts List.

§ **21.53** – Amends § 21.53(a) to remove “(FAA Form 317).” This form is obsolete and has been replaced by FAA Form 8130-9. In addition, paragraph (a) has been amended to improve clarity by removing the words “conforms to the type design therefore” and replaces them with “conforms to its type design.”

## Section-by-Section Review of Rule Changes

- 21.73 – Eligibility
- 21.75 – Application
- 21.97 – Approval of major changes in type design
- 21.113 – Requirement for supplemental type certificate
- 21.117 – Issuance of supplemental type certificates
- 21.119 - Privileges

§ **21.73** – Amends § 21.73(b) by replacing “Any manufacturer of aircraft manufactured in a foreign country with which the United States has an agreement” with “Any manufacturer of aircraft in a State of Manufacture subject to the provisions of an agreement with the United States”.

§ **21.75** – Revises § 21.75 to remove detailed requirements related to where an applicant must submit an application for a provisional type certificate. Instead, it requires submission to the appropriate aircraft certification office.

§ **21.97** – Revises § 21.97(a) to require an applicant for approval of a major change in type design to – (a) Show that the changed product complies with the applicable requirements of the subchapter; (b) Provide the FAA the means by which such compliance has been shown; and (c) Provide a statement certifying the applicant has complied with the applicable requirements.

§ **21.113** – Amends § 21.113 to require submission of an application for an STC to the “appropriate aircraft certification office” instead of to the “Administrator”.

§ **21.117** – Amends § 21.117(a) by replacing the words “if he” with “if the FAA finds that the applicant”.

§ **21.119** – Amends § 21.119(c) to clarify that the holder of an STC may obtain a PC for the change in type design approved by that STC only if the STC holder meets the requirements of subpart G pertaining to the issuance of PCs.

## Section-by-Section Review of Rule Changes

- 21.122 – Location of or change to manufacturing facilities
- 21.123 – Production under type certificate
- 21.125 – Production inspection system: Materials Review Board
- 21.130 – Statement of conformity

§ **21.122** – Amends § 21.122(a) to allow an applicant to obtain a PC outside of the U.S. as long as it causes no undue burden on the FAA. Section 21.122(b) requires a TC holder to obtain FAA approval before making changes to the location of any of its manufacturing facilities. Section 21.122(c) requires a TC holder to immediately notify the FAA, in writing, of any changes to its manufacturing facility that may affect the inspection, conformity, or airworthiness of the TC holder’s product or articles thereof.

§**21.123** – Revises the introductory text of § 21.123 to include manufacturers of articles to clarify that the holder of a TC is authorized to manufacture articles for its type-certificated products. Removes language requiring technical data and drawings to be maintained at the place of manufacture and replaces it with references to sections where that information is defined more thoroughly. Section 21.123(b) requires manufacturers to make each product and article thereof available for inspection by the FAA. Section 21.123(c) requires manufacturers to maintain records of the completion of all inspections and tests for at least 5 years, and at least 10 years for critical components. Section 21.123(d) requires manufacturers to allow the FAA to make any inspection or test necessary to determine compliance with the subchapter. Section 21.123(e) requires manufacturers to mark the product or any critical parts thereof in accordance with part 45. Section (f) requires manufacturers to identify any portion of that product (e.g., subassemblies, component parts, or replacement articles) that leaves the manufacturer’s facility as FAA-approved with the manufacturer’s part number and name, trademark, symbol, or other FAA-approved manufacturer’s identification. Section 21.123(g) requires TC holders to obtain a PC in accordance with subpart G within 6 months after the date of issuance of the TC.

§**21.125** – This section was removed. The FAA no longer requires or allows production under an Approved Production Inspection System.

§**21.130** - Extends the applicability of the required statement of conformity for products manufactured in the U.S., to products manufactured outside the U.S., including articles for which a TC was issued. Section 21.130 no longer relieves a manufacturer from providing a statement of conformity for products manufactured for the Armed Forces.

## Section-by-Section Review of Rule Changes

- 21.131 – Applicability
- 21.132 – Eligibility
- 21.133 – Application
- 21.135 – Organization (21.305 & 21.605)
- 21.137 – Quality System (21.307 & 21.607)
- 21.138 – Quality Manual (21.308 & 21.608)

**§21.131** – Incorporates minor changes in the organization of this section to improve clarity.

**§21.132** – Makes minor editorial changes to the eligibility requirements for a PC and amends §21.132 by replacing “he” with “that person” in support of plain language.

**§21.133** – Renumbers former §21.133(b) as §21.133.

**§21.135** – Requires each applicant for or holder of a PC, PMA, or TSO authorization to submit to the FAA a description of the applicant’s management organization and how that organization would ensure compliance with the provisions of subpart G, K, and O, respectively.

**§21.137** – Standardized the quality system requirements for all PAHs. Requires that the quality system be described in writing and include elements as specified in §21.137(a) through (n). These amendments require the PAH to develop a quality system or modify its current system consistent with the size of the PAH and the complexity of the product or article produced.

**§21.138** – Requires each applicant for, or holder of a PC, PMA, or TSO authorization to submit to the FAA for approval a quality manual describing its quality system.

## Section-by-Section Review of Rule Changes

- 21.139 – Location of or change to manufacturing facilities (21.309 & 21.609)
- 21.140 – Inspections & Tests (21.310 & 21.610)
- 21.141 – Issuance (21.311 & 21.611)
- 21.142 – Production limitation record
- 21.143 – Duration
- 21.144 – Transferability (21.314 & 21.614)

**§21.139** – Standardizes language pertaining to the location of manufacturing facilities for a holder of a PC, PMA, and TSO authorization. Adds a requirement that PAHs, including those manufacturing under TC only, obtain prior approval from us for changes to the location of any of their manufacturing facilities.

**§21.140** – Standardizes language pertaining to inspections and tests. Amends requirements to clarify that the scope of these inspections and tests applies to supplier facilities.

**§21.141** – Standardizes language pertaining to the issuance of a PC, PMA, and TSO authorization. Clarifies that the issuance of a PC is contingent upon the applicant complying with all portions of subpart G.

**§21.142** – Clarifies that the PC holder, not an applicant for a PC, is authorized to manufacture the products listed on the production limitation record.

**§21.143** – Maintains that a production certificate is effective until surrendered, suspended, revoked, or the FAA otherwise establishes a termination date.

**§21.144** – States that the holder of a production approval may not transfer the approval.

## Section-by-Section Review of Rule Changes

- 21.145 – Privileges
- 21.146 – Responsibility of holder (21.316 & 21.616)
- 21.147 – Amendment of production certificates
- 21.150 – Changes to quality system (21.320 & 21.620)
- 21.183 – Issue of standard airworthiness certificates for normal, utility, acrobatic, commuter, and transport category aircraft; manned free balloons; and special classes of aircraft

**§21.145-** Relocates the privileges afforded to a PC holder.

**§21.146** – Standardizes the responsibilities of all PAHs.

**§21.147** – Revises former 21.153 and incorporates minor editorial changes.

**§21.150** – Retains the requirement for PC holders to notify the FAA of any change that may affect the inspection, conformity, or airworthiness of its product. Extends the requirement to articles.

**§21.183(c)** - Allows an applicant for a standard airworthiness certificate for an import aircraft to obtain that certificate if: (1) The aircraft is type certificated in accordance with 21.21 or 21.29 and is produced under the authority of another State of Manufacture; (2) The State of Manufacture certifies, in accordance with the export provisions of an agreement with the United States for import of that aircraft, that the aircraft conforms to the type design and is in condition for safe operation; and (3) The FAA finds that the aircraft conforms to the type design and is in condition for safe operation.

**§21.183(d)(2)** – Requires aircraft to be inspected in accordance with the performance rules for 100-hour inspections set forth in 43.15 or an equivalent performance standard acceptable to the FAA.

**§21.183(d)(3)** – Requires the FAA to issue a standard airworthiness certificate after the FAA finds that the aircraft conforms to the type design, and is in condition for safe operation.

## Section-by-Section Review of Rule Changes

- 21.185 – Issue of airworthiness certificates for restricted category aircraft
- 21.195 – Experimental certificates: Aircraft to be used for market surveys, sales demonstrations, and customer crew training
- 21.197 – Special flight permits
- 21.223 – Class II provisional airworthiness certificates
- 21.225 – Provisional airworthiness certificates corresponding with provisional amendments to type certificates
- 21.231 – Applicability

**§21.185** – Revises paragraph (c) to allow the issuance of a special airworthiness certificate for a restricted category import aircraft if – (1)The aircraft is type-certificated in accordance with 21.25 or 21.29 and produced under the authority of another State of Manufacture; (2) The State of Manufacture certifies, in accordance with the export provisions of an agreement with the U.S. for import of that aircraft, that the aircraft conforms to the type design and is in condition for safe operation; and (3) The FAA finds that the aircraft conforms to the type design and is in condition for safe operation.

**§21.195** – Revises paragraph (d)(2) to allow the FAA to reduce operational requirements if the applicant provides adequate justification.

**§21.197** – Revises paragraph (c) to allow special flight permits to be issued by operators who maintain their aircraft under an approved program for continuing flight authorization. Allows operators who do not have a Continuous Airworthiness Maintenance Program, but do have the necessary quality system and infrastructure to support this authorization, to issue a special flight permit.

**§21.223** – Amends 21.223 by removing the word “control” from paragraph (c).

**§21.225** – Amends 21.225 by removing the word “control” from paragraph (b).

**§21.231** – Amends 21.231(a)(6) by removing the words “paragraph (a)(4)” and replacing it with “paragraph (a)(5)”.

## Section-by-Section Review of Rule Changes

- 21.251 – Limits of applicability
- 21.253 – Type certificates: application
- 21.267 – Production certificates
- 21.271 – Airworthiness approval tags
- 21.293 – Current records
- 21.321 - Applicability

**§21.251** – Revises paragraph (b)(4)(iii) and (iv ) to read “airworthiness approvals” rather than “airworthiness approval tag”.

**§21.253** – Amends 21.253 by removing the words “(FAA Form 312)” from paragraph (a)(1).

**§21.267** - Global changes were made to 21.267. Paragraph (d) was also updated to reflect the correct reference to 21.137.

**§21.271** – Global changes were made to 21.271. Paragraph (a) was amended to remove the words “(FAA Form 8130-3)”.

**§21.293** - Revises paragraph (a)(2) to increase the record retention requirements for manufacturers from 2 to 5 years.

**§21.321** – Deletes the definitions of Class I, II, and III products and of “newly overhauled”.

## Section-by-Section Review of Rule Changes

- 21.325 – Export airworthiness approvals
- 21.327 – Application
- 21.329 – Issuance of export certificates of airworthiness
- 21.331 – Issuance of export airworthiness approvals for aircraft engines, propellers, and articles

**§21.325** – Amends 21.325 to clarify that – (1) Export Certificates of Airworthiness will no longer be issued for aircraft engines and propellers; (2) Requirements related to flight-testing new aircraft have been relocated from subpart L to subpart G, which clarifies that each aircraft produced must be flight-tested; (3) Regulatory language related to issuing export airworthiness approvals for unassembled aircraft has been removed; (4) Form 8130-3, Authorized Release Certificate, will be used for articles and for issuing export airworthiness approvals for aircraft engines and propellers; and (5) The FAA may issue an export airworthiness approval in a foreign country or jurisdiction if there is no undue burden on the FAA.

**§21.327** – Relegates detailed application requirements from the regulations to FAA policy and clarifies that any person may apply for an export airworthiness approval. Moves the former requirements of 21.327(e)(2) through (4) to 21.329.

**§21.329** – Amends 21.329(a) to clarify that a person may obtain from the FAA an export Certificate of Airworthiness for an aircraft if – (1) A new or used aircraft manufactured under subpart F or G meets the airworthiness requirements under subpart H for a standard airworthiness certificate or special airworthiness certificate in either the “primary” or the “restricted” category; or (2) A new or used aircraft not manufactured under subpart F or G has a valid standard airworthiness certificate or special airworthiness certificate in either the “primary” or the “restricted” category. Amends 21.329(b) to clarify that an aircraft need not meet the requirement specified in paragraph (a) if – (1) The importing country or jurisdiction accepts a deviation from the requirement; and (2) The export certificate of airworthiness lists as an exception any difference between the aircraft to be exported and its type design.

**§21.331** – Amends 21.331 to clarify that – (a) A person may obtain from the FAA an export airworthiness approval to export a new aircraft engine, propeller, or article that is manufactured under this part if it conforms to its approved design and is in a condition for safe operation; (b) A new aircraft engine, propeller, or article need not meet a requirement of paragraph (a) if the importing country or jurisdiction accepts a deviation from that requirement, and the export airworthiness approval lists as an exception any difference between the aircraft engine, propeller, or article to be exported and its approved design; (c) A person may obtain from the FAA an export airworthiness approval to export a used aircraft engine, propeller, or article if it conforms to its approved design and is in a condition for safe operation; and (d) A used aircraft engine or propeller need not meet a requirement of paragraph (c) if the importing country or jurisdiction accepts a deviation from that requirement and the export airworthiness approval lists as an exception any difference between the used aircraft engine or propeller to be exported and its approved design.

## Section-by-Section Review of Rule Changes

- 21.335 – Responsibilities of exporters
- 21.500 – Acceptance of aircraft engines and propellers
- 21.502 – Acceptance of articles
- 43.2 – Records of overhaul and rebuilding
- 43.3 – Persons authorized to perform maintenance, preventive maintenance, rebuilding, and alterations
- 45.1 – General definitions

**§21.335** – Adds paragraph (a), which requires the exporter to forward to the importing country or jurisdiction all documents specified by that country or jurisdiction. Paragraph (b) adds the requirement for an exporter to preserve and package products and articles as necessary to protect them against corrosion and damage during transit or storage and state the duration of effectiveness of such preservation and packaging.

**§21.500** – Revises 21.500 as follows: (1) Reorganizes the section to improve clarity; (2) Removes the word “approval” and adds in its place the word “acceptance”; (3) Requires that each aircraft engine and propeller is identified in accordance with part 45; and (4) Replaces the words “a certificate of airworthiness for export” with “an export airworthiness approval”.

**§21.502** - Revises 21.502 as follows: (1) Reorganizes the section to improve clarity; (2) Replaces the word “approval” of materials, parts, and appliances with “acceptance” of articles; (3) Replaces the words “a certificate of airworthiness for export” with “an export airworthiness approval”; (4) Adds a requirement that an article produced under a letter of TSO design approval be marked in accordance with part 45 in order to meet the requirements for acceptance; and (5) Removes former paragraph (b) requirements.

**§43.2** – Amends 43.2(a)(2) by removing reference to “21.305 of this chapter” and adding “part 21 of this chapter”.

**§43.3** – Amends 43.3(j)(3) to remove all references to an APIS.

**§45.1** – Changes the definition of “approved” by replacing the word “Administrator” with the abbreviation “FAA” and expands it to include “any person to whom the FAA has delegated its authority in the matter concerned, or approved under the provisions of a bilateral agreement between the U.S. and a foreign country or jurisdiction”.

## Section-by-Section Review of Rule Changes

- 45.10 – Marking
- 45.11 – Marking of products
- 45.13 – Identification Data
- 45.14 – Identification of critical components
- 45.15 – Identification requirements for PMA articles, TSO articles, and critical parts
- 45.16 – Marking of life-limited parts

**§45.10** – This section was added to consolidate marking requirements in one location. Section 45.10(a)(10 and (a)(2) add that marking requirements apply to all production approval holders, including persons who export products to the U.S. under the provisions of an agreement between the U.S. and another country or jurisdiction. Section 45.10(a)(2) also adds that required markings constitute a representation that the product or article conforms to its approved design or meets the applicable performance standards.

**§45.11** - Replaces paragraph (a) with (a) and (b) to put aircraft and aircraft engine marking requirements into separate paragraphs for clarity. Adds paragraph (g) to provide relief from the requirement of previous 45.11(a) for location of the aircraft data plate. Adds paragraph (h) to provide relief to manufacturers of gliders from the aircraft data plate location requirement for those persons who have had to obtain exemptions to allow them not to locate the data plate on the exterior of the aircraft near the tail.

**§45.13** – Removes the words “and (b)” from paragraph (a) and adds in their place the words “through (c)”. Removes the words “of this part” from paragraph (c).

**§45.14** – This section was removed and relocated to §45.15(c).

**§45.15** – Retitles, standardizes, and consolidates marking requirements for PMA articles, TSO articles, and critical parts, including an identifier of the person who manufactured the part and the part number. Relocates the requirements of previous 45.15(b) to paragraph (d). Requires marking information to be attached to any article that the FAA finds is too small or otherwise impractical to mark on the article and clarifies that this provision applies to all PAHs. Removes the requirement for installation eligibility on the article.

**§45.16** – Removes the last sentence of this section. This sentence was procedural in nature, requiring the holder of a TC or design approval to provide marking instructions in readily available documents, such as the maintenance manual or the Instructions for Continued Airworthiness.

# Implementation Plan

This section covers the schedule of compliance dates, the communication plan, and follow-up actions for implementation of the rule.

## Schedule

- Effective date of final rule:
  - 180 days after publication in the Federal Register
  
- Compliance Dates:
  - Part 1, Definitions and Abbreviations;
  - Part 21, subparts H (Airworthiness Certificates), I (Provisional Airworthiness Certificates), L (Export Airworthiness Approvals), and N (Approval of Engines, Propellers, Materials, Parts, and Appliances: Import); and
  - Part 45, §45.11 (Identification of Aircraft and Related Products), & § 45.13 (Identification data) – 180 days after publication
  
  - All other portions of the rule – 18 months after publication

### Compliance Dates –

- The rule is effective 180 days after publication in the Federal Register;
- Compliance date for part 1; part 21, subparts H, I, L, and N; and part 45, subpart B, §§ 45.11 and 45.13 is 180 days after publication in the Federal Register; and
- Compliance date for all other portions of the rule is 18 months after publication in the Federal Register.

**180 Day Compliance Date** - In reviewing part 1; part 21, subparts H, I, L, and N; and part 45, subpart B, §§ 45.11 and 45.13, we found the rule changes to be either relieving or cost neutral to industry. We further determined that they are stand-alone changes, and do not affect and are not affected by other changes to the rule. Therefore, we have chosen a compliance date of 180 days after publication of the rule in the Federal Register. During that 180 day period, we will provide necessary guidance and policy to industry on how compliance may be achieved with regard to these portions of the rule.

**18 Month Compliance Date** - All other portions of the final rule either create a new requirement or are tied to a new requirement and will therefore have a compliance date of 18 months after publication of the rule in the Federal Register. During that 18 month period, we will provide any necessary guidance and policy to the industry on how compliance may be achieved with regard to these portions of the rule.

In order not to run dual rule requirements with two sets of guidance and policy, operating to the rule ahead of the compliance dates will not be allowed. We strongly feel that the 18 month compliance date is necessary for both industry and the FAA in order to prepare for all of the changes put forth in the rule.

We recognize that approximately 1,700 PAHs will need to have their quality systems and manuals reviewed prior to the 18 month compliance date. We have established a process to undertake this task and will provide guidance in the form of a short Order concerning how the FAA and industry will coordinate the effort within 90 days of publication of the rule. The short order will include sample letters for notification of the rule change, acknowledgement of receipt of the manual, and approval letters for the quality manual.

We further acknowledge that this final rule represents a shift in many of our policies and procedures, and will require training for both industry and the FAA. The process of reviewing and modifying training, orders, and advisory circulars has begun.

## Communication

- **AIR-200 communication with the field**
  - Part 21 video
  - Briefing to field
  - Fact Sheets
  - Part 21 Website (Intranet)
  - Focal points for questions
  - Short Order for implementation, including a sample letter for field to use in notifying PAHs of the rule change
  
- **AIR-200 communication with industry & other authorities**
  - Part 21 Website (Internet)
  - Part 21 video
  - National briefings for industry
  - International briefings for other authorities
  - Focal points for questions

- Part 21 Video will be available to FAA personnel via the Intranet prior to issuance of the rule.
- Briefings to the field will begin mid-July and will be completed mid-September.
- Fact sheets will be included as additional information. The fact sheets cover the high level changes to the rule and the associated publications.
- AIR-200 will maintain a website where both FAA employees and the public can post questions.
- Each Directorate will have a part 21 focal point in which to answer or relay questions on the rule or associated documents. AIR-200 also has two part 21 focal points at this time. They are Bob Cook and Barbara Capron. Bob can be reached at 202-385-6358 and Barbara can be reached at 202-385-6360.
- AIR-200 is developing a short order to assist the Directorates with implementation issues, including a sample letter for notifying PAHs of the rule change.
- Part 21 video will be released to the public through trade associations and the Internet after the rule is issued.
- AIR-200 will attend industry conferences (AIA, GAMA, ASA, MARPA, AAQG) and will initiate briefings throughout the country in order to inform the public of the rule change. The briefings will cover the rule changes, fact sheets, and AIR-200 contacts. AIR-200 will also develop business cards with links to the Federal Register, as well as a link to the website for questions and answers.
- AIR-200 will brief other authorities on the rule at scheduled conferences (P&A).
  
- AIR-200 will have part 21 focal points for questions from industry and other authorities.

## Follow-Up

- **Communicate with the Field**
  - Telecons
  - Training
  - Policy Development
  - Other Support as Needed
- **Industry Feedback**
  - Review Industry Feedback
  - Initiate Changes as Needed
  - Continue Outreach and Education
- **Work with Other Authorities**
  - Harmonization Efforts
  - Development of New Policy

- AIR-200 will conduct weekly telecons with the Directorate Part 21 field focals.
- Any policy or implementation issues that arise should be coordinated through the field focals.
- AIR-200 will have dedicated Part 21 experts to assist with other issues as required.
- AIR-200 will review industry feedback, initiate changes as needed, and continue outreach to industry.
- AIR-200 will work with other authorities in resolving any issues or questions that arise, as well as develop new policy that supports harmonization.

## **Orders and Advisory Circulars Affected by the Rule**

This section covers related Advisory Circulars and Orders that will be affected by the rule.

## ACs Scheduled to Issue With the Rule

- **AC 21-42**, Transition Document for 14 CFR Part 21
- **AC 21-43**, Production Under 14 CFR Part 21 Subparts F, G, K, and O
- **AC 21-44**, Issuance of Export Airworthiness Approvals Under 14 CFR Part 21 Subpart L
- **AC 45-2**, Identification and Registration Marking

•AC 21-42, Transition Document for 14 CFR Part 21, is designed to provide information concerning changes to the rule language. The intent of this AC is to briefly describe those changes in order to facilitate the transition to the new regulatory requirements.

•AC 21-43, Production Under 14 CFR Part 21 Subparts F, G, K, & O is designed to provide information concerning the issuance of production approvals, as well as production under TC only. This AC covers changes in the quality system, responsibility of the holder, privileges, etc.

•AC 21-44, Issuance of Export Airworthiness Approvals Under 14 CFR Part 21 Subpart L, is designed to provide information concerning changes in how we issue export airworthiness approvals.

•AC 45-2, Identification and Registration Marking, is designed to provide information concerning requirements for marking of aircraft, aircraft engines, or propellers with identification plates, and identifying aircraft with nationality and registration marks.

•In addition to these four ACs, there are approximately 20 other ACs and Orders which will change over the next 18 months based on the rule. Some of those documents will change more than once.

## Orders and ACs Affected By the 180 Day Compliance Date

- **Orders**
  - **8100.8**, Designee Management Handbook
  - **8100.11**, Developing Undue Burden and No Undue Burden Decision Papers Under 14 CFR Part 21
  - **8120.2**, Production Approval & Certificate Management Procedures
  - **8130.2**, Airworthiness Certification of Aircraft and Related Products
  - **8130.21**, Procedures for Completion and Use of the Authorized Release Certificate, FAA Form 8130-3, Airworthiness Approval Tag
- **Advisory Circulars**
  - **21.2**, Export Airworthiness Approval Procedures
  - **21.19**, Installation of Used Engines in New Production Aircraft

•**8100.8** – Updates citations to reflect current rule language. Removes references to class I, II, and III.

•**8100.11** – Updates citations to reflect current rule language. Updates terminology related to bilateral aviation agreements. Incorporates typographical and editorial clarifications. Adds an example of when decision papers need to be amended.

•**8120.2** – Updates citations to reflect current rule language. Incorporates new marking requirements of 45.11 and 45.13. Removes references to class I, II, and III. Removes the term “approval” from the criteria for the import of replacement and modification parts. Adds eligibility for a manufacturer with a PMA to obtain an Organization Designation Authorization. Adds the term “approved” as now defined in part 1, to Appendix J, Definitions.

•**8130.2** – Updates citations to reflect current rule language. Removes references to class I, II, and III parts. Removes term “newly overhauled”. Removes references to TC Only. Removes mandatory 100 hour / annual inspections. Changes the terms “shall” to “must”, and “Administrator” to “FAA”.

•**8130.21** – Updates citations to reflect current rule language. Replaces parts and appliances with the term “article”. Removes references to class I, II, and III parts. Removes the term “newly overhauled”. Revises acceptable methods for ensuring traceability of FAA Form 8130-3. Removes language pertaining to distributors accredits in accordance with AC 00-56. Combines and moves information on computer-generated forms, information systems, and automation. Permits use of either the “inspected” or “tested” in Block 12. Adds a requirement that exporters include total time or time since overhauled for exported aircraft engines or propellers.

•**21.2** – Changes the title of this AC. Deletes all general procedures related to the issuance of export airworthiness. Revises the AC to only provide information and guidance regarding the requirements of importing countries and jurisdictions. Deletes Appendixes 1, 3, and 4.

•**21.19** – Updates citations to reflect current rule language. Removes terms “newly overhauled” and “newly rebuilt”.

## Orders and ACs Affected By the 18 Month Compliance Date

- **Orders**
  - **8100.7**, Aircraft Certification Systems Evaluation Program
  - **8100.8**, Designee Management Handbook
  - **8120.2**, Production Approval & Certificate Management Procedures
  - **8120.12**, PAH Use of Other-Parties to Supplement their Supplier Control Program
  - **8130.2**, Airworthiness Certification of Aircraft and Related Products
- **Advisory Circulars**
  - **21.9**, Manufacturers Reporting Failures, Malfunctions, or Defects
  - **21.24**, Extending a PC to a Facility Located in a BAA Country
  - **21.26**, Quality Control for the Manufacture of Composite Structures
  - **21.31**, Quality Control for the Manufacture of Non-Metallic Compartment Interior Components
  - **21.32**, Control of Parts Shipped Prior to TC Issuance
  - **45.3**, Installation, Removal, or Change of Identification Data & Identification Plates on Aircraft Engines

•**8100.7** - Updates citations to reflect current rule language. Revises standardized evaluation criteria by adding, deleting, or combining criteria, as appropriate. Revises ACSEP Survey Sheet to reflect revised criteria. Revises the narrative portion of the order to reflect the current references and terminology pertaining to the Risk-Based-Resource-Targeting practice. Revises the narrative portion of the order as necessary to reflect the current scheduling and CMIS coordination activities.

•**8100.8** – Updates citations to reflect current rule language.

•**8120.2** – Deletes the chapter on APIS, and removes references to a fabrication inspection system. Enhances the chapter covering quality systems. Updates citations to reflect current rule language.

•**8120.12** –Updates citations to reflect current rule language. Removes reference to APIS.

•**8130.2** – Removes reference to APIS.

**21.9** - Updates citations to reflect current rule language.

•**21.24** - Updates citations to reflect current rule language. Changes title of AC to include different formats of bilateral agreements. Removes provision for extending a TSOA for an APU to a facility located outside the U.S. Removes the term “co-production” and adds the term “joint-production and/or co-production business agreements”. Removes Appendix 1.

•**21.26** - Updates citations to reflect current rule language.

•**21.31** - Updates citations to reflect current rule language.

•**21.32** - Updates citations to reflect current rule language.

•**45.3** - Updates citations to reflect current rule language.

## Additional Information

- **Derivation Tables** – Where did this rule come from?
- **Distribution Tables** – Now where did that rule go?
- **Implementation Timeline** – When do we do this?

This section covers additional information that may be helpful to ASIs and ASEs in reviewing the rule.

## Derivation Table for Subpart G

Final Rule	Based On	Final Rule	Based On	Final Rule	Based On
21.131 Introductory Text, (a), and (b)	21.131	21.137(g)	New Language	21.144	21.155
21.132 Introductory Text, (a), (b), and (c)	21.133(a), (a)(1), (a)(2), and (a)(3)	21.137(h)	21.143(a)(4)	21.145	21.163
21.133	21.133(b)	21.137(h)(1) and (2)	New Language	21.146 Introductory Text	21.165 Introductory Text
21.135	21.143(a)(1)	21.137(i)	New Language	21.146(a)	New Language
21.137 Introductory Text	21.139 and 21.143(a)	21.137(j), (k), (l), (m), and (n)	New Language	21.146(b) and (c)	21.165(a) & (b)
21.137(a) and (b)	21.143(a)(5)	21.138	21.143(a)	21.146(d)	New Language
21.137(c) Introductory Text	New Language	21.139(a)	21.137	21.146(e)	21.303(h)(6) and 21.613(a)(1)
21.137(c)(1)	21.143(a)(2)	21.139(b) and (c)	21.147	21.146(f)	21.161
21.137(c)(2)	New Language	21.140	21.157	21.146(g)	21.143(b)
21.137(d),(e), and (e)(1)	21.143(a) and 21.143(a)(3)	21.141	21.135	21.147	21.153
21.137(e)(2)	New Language	21.142	21.151	21.150 Introductory Text, (a), and (b)	21.147
21.137(f)	New Language	21.143	21.159		

## Derivation Table for Subpart K

Final Rule	Based On	Final Rule	Based On	Final Rule	Based On
21.301 Introductory Text, and (a)	21.301	21.309(b)	New Language	21.316(c)	21.303(k)
21.301(b)	New Language	21.309(c)	21.303(j)	21.316(d)	New Language
21.303(a)	21.303(c)	21.310	21.303(e)	21.316(e)	21.303(h)(6)
21.303(a)(5)	New Language	21.311	21.303(d) Introductory Text and (d)(1)	21.316(f)	21.161
21.303(b)	21.303(f)	21.313	21.303(i)	21.316(g)	21.143(b)
21.305	New Language	21.314	21.303(l)	21.319(a)	21.93(a)
21.307	New Language	21.316 Introductory Text	New Language	21.319(b)(1)	21.95
21.308	New Language	21.316(a)	New Language	21.319(b)(2)	New Language
21.309(a)	21.303(g)	21.316(b)	21.165(a)	21.320	21.147

## Derivation Table for Subpart L

Final Rule	Based On	Final Rule	Based On	Final Rule	Based On
21.321 Introductory Text, (a), and (b)	21.321(a), (a)(1), & (a)(2)	21.329(a)(1) and (a)(2)	21.329(a) & (b)	21.331(b)(2)	21.325(c)
21.325(a) and (b)	21.325(a)(1) and (a)(2)	21.329(b) and (b)(1)	21.329(g)	21.335 Introductory Text	21.335 Introductory Text
21.325(c)	New Language	21.329(b)(2)	21.325(c)	21.335(a)	21.335(a) & (b)
21.327	21.327(a)	21.331(a)	New Language	21.335(b)	New Language
21.329(a)	21.329 Introductory Text	21.331(b) and (b)(1)	21.331(b)	21.335(c), (d), and (e)	21.335(c), (d), and (e)

## Derivation Table for Subpart O

Final Rule	Based On	Final Rule	Based On	Final Rule	Based On
21.601(a)	21.601(a)	21.609(c)	New Language	21.616(d)	New Language
21.601(b), (b)(1), (b)(2), (b)(3), (b)(4), and (b)(5)	21.601(b), (b)(1), (b)(2), (b)(3), (b)(4), and (b)(5)	21.610	21.615	21.616(e)	21.607(c), 21.613(a)(1), and 21.613(b)
21.603(a), (a)(1), and (a)(2)	21.605(a), (a)(1), and (a)(2)	21.611	21.605(c)	21.616(f)	21.161
21.603(b)	21.605(b)	21.613(a)	21.621	21.616(g)	21.143(b)
21.603(c)	21.605(d) and (e)	21.613(b)	21.603(b)	21.618	21.609
21.605	New Language	21.614	21.621	21.619	21.611
21.607	New Language	21.616 Introductory Text	21.607 Introductory Text	21.620	21.147
21.608	21.605(a)(3)	21.616(a)	New Language	21.621(a)	21.617(a)
21.609(a)	21.601(c)	21.616(b)	21.607(b)	21.621(b)	21.617(b)
21.609	New Language	21.616(c)	21.607(a)		

## Derivation Table for Part 45

Final Rule	Based On	Final Rule	Based On	Final Rule	Based On
45.1 Introductory Text	45.1 Introductory Text	45.11(c)	45.11(b)	45.13	45.13
45.1(a), (a)(1), and (a)(2)	45.1(a)	45.11(d)	45.11(c)	45.15(a)	45.15(a)
45.1(a)(3)	New Language	45.11(e)	45.11(d)	45.15(b)	21.607(d)
45.1(b)	45.1(c)	45.11(f)	45.11(e)	45.15(c)	45.14
45.10	21.603(a)	45.11(g)	New Language	45.15(d)	45.15(b)
45.11(a) and (b)	45.11(a)	45.11(h)	New Language	45.16	45.16

## Distribution Table for Subpart G

Former Rule	Replaced By	Former Rule	Replaced By	Former Rule	Replaced By
21.131	21.131(a) and (b)	21.143(3)	21.137(d), 21.137(e)(1) And (e)(2)	21.155	21.144
21.133(a)(1) – (3)	21.132(a) – (c)	21.143(a)(4)	21.137(i)	21.157	21.140
21.133(b)	21.133	21.143(a)(5)	21.137(a) and (b)	21.159	21.139(c) and 21.143
21.135	21.141	21.143(a)(6)	Removed	21.161	21.146(f)
21.137	21.139(a)	21.143(b)	21.146(g)	21.163	21.145
21.139	21.137 Introductory Text	21.147	21.150(a) and (b)	21.165 Introductory Text	21.146 Introductory Text
21.143(a)	21.138 and 21.137(e)	21.149	Removed	21.165(a)	21.146(b)
21.143(a)(1)	21.135	21.151	21.142	21.165(b)	21.146(c)
21.143(a)(2)	21.137(c)(1)	21.153	21.147		

## Distribution Table for Subpart K

Former Rule	Replaced By	Former Rule	Replaced By	Former Rule	Replaced By
21.301	21.301(a) and (b)	21.303(c)(1) – (4)	21.303(a)(1) – (4)	21.303(g)	21.309(a)
21.303(a)	21.9(a)	21.303 Introductory Text and (d)(1)	21.311	21.303(h)(1) – (9)	Removed
21.303(b)	Removed	21.303(d)(2)	Removed	21.303(i)	21.313 and 21.314
21.303(b)(1)	21.9(a)(1) and (2)	21.303(e)	21.310 Introductory Text	21.303(j)	21.309(c)
21.303(b)(2)	21.9(a)(5)	21.303(e)(1)	21.310(a)	21.303(l)	21.309(c)
21.303(b)(3)	21.9(a)(2)	21.303(e)(2)	21.310(b)	21.303(k)	21.316(c)
21.303(b)(4)	21.9(a)(3) and 21.1(b)(7)	21.303(f)(1) – (4)	21.303(b)(1) – (4)	21.305(a) – (d)	21.7(a) – (d)

## Distribution Table for Subpart L

Former Rule	Replaced By	Former Rule	Replaced By	Former Rule	Replaced By
21.321(a)	21.321 Introductory Text	21.327(a) – (f)	21.327	21.333	21.331
21.321(a)(1)	21.321(a)	21.329 Introductory Text	21.329(a), 21.331(a) and (b)	21.335 Introductory Text	21.335 Introductory Text
21.321(a)(2)	21.321(b)	21.329(a)	21.329(a)(1), (a)(1)(i) and (ii)	21.335(a)	21.335(a)
21.321(b)(1) – (4)	Removed	21.329(b)	21.329(a)(2) and (a)(2)(i)	21.335(b)	21.335(a)
21.323	21.329 and 21.331	21.329(c)	Removed	21.335(c)	21.335(c)
21.325(a)(1)	21.325(a)	21.329(d)	21.331(a)(1)	21.335(d)	21.335(d)
21.325(a)(2)	21.325(b)	21.329(e)	Removed	21.335(e)(1) – (3)	21.335(e)(1) – (3)
21.325(b)(1)	Removed	21.329(f)	Removed	21.337(a) – (f)	Removed
21.325(b)(2) and (3)	21.325(c)	21.329(g)	21.329(b) and (b)(1)	21.339(a) – (f)	Removed
21.325(c)	21.329(b)(2) and 21.331(c)(2)	21.331	21.331		

## Distribution Table for Subpart O

Former Rule	Replaced By	Former Rule	Replaced By	Former Rule	Replaced By
21.601(a) – (a)(3)	21.601(a) – (a)(3)	21.605(b)	21.603(b)	21.613(a)(1)	21.616(e)
21.601(b)(1) – (5)	21.601(b)(1) – (5)	21.605(c)	21.611	21.613(a)(2)	21.137(l)
21.601(c)	21.609(a)	21.605(d)	21.603(c)	21.613(b)	21.616(e)
21.603(a)	45.10(a)	21.605(e)	21.603(c)	21.615	21.610
21.603(b)	21.613(b)	21.607 Introductory Text, (a), (b), (c), & (d)	21.616 Introductory Text, (c), (d), (e), and 45.15(b)	21.617(a)(1) and (2)	21.621(a)(1) and (2)
21.603(c)	Removed	21.609	21.618	21.617(b)	21.621(b)
21.605(a)(1) and (2)	21.603(a)(1) and (2)	21.611	21.619	21.617(c)	21.502
21.605(a)(3)	Removed	21.613(a)	21.616(e) and 21.137(l)		

## Distribution Table for Part 45

Former Rule	Replaced By	Former Rule	Replaced By	Former Rule	Replaced By
45.1 Introductory Text, (a) – (c)	45.1 Introductory Text, (a), and (b)	45.11(d)	45.11(e)	45.15(a)	Removed
45.11(a)	45.11(a) and (b)	45.11(e)	45.11(f)	45.15(b)	45.15(d)
45.11(b)	45.11(c)	45.13	45.13	45.16	45.16
45.11(c)	45.11(d)	45.14	45.15(c)		



## Part 21 Implementation

