



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of Airport Safety and
Standards

800 Independence Avenue, SW,
Washington, DC 20591

February 20, 2019

Dear Industry Representative:

On June 27, 2018, FAA issued a letter to industry that addressed the use of non-original equipment manufacturer (OEM) components in certified airport lighting equipment. Following the issuance of this letter, we have been asked to clarify certain elements of FAA's guidance and requirements as they pertain to these systems.

FAA Advisory Circulars are generally "advisory" in nature but can be made mandatory by operation of other programs or requirements. For instance, with regard to airport lighting equipment, where the equipment is part of an Airport Improvement Program (AIP) project or if the project is funded with passenger facility charge (PFC) revenue, then the following Advisory Circulars become mandatory:

- AC 150/5345-53D, *Airport Lighting Equipment Certification Program*;
- AC 150/5345-43J, *Specification for Obstruction Lighting Systems* (hereinafter the "Specification AC"); and
- AC 70/7460-1L, *Obstruction Marking and Lighting* (hereinafter the "Marking/Lighting AC").

For these projects, FAA requires that only certified lighting units be used. Moreover, FAA requires that such systems be maintained in the same configuration as that existing at certification. This means that the replacement of OEM parts with non-OEM parts is forbidden.

Another example of where the Advisory Circulars may become mandatory is when an FAA Determination of No Hazard to Air Navigation is conditioned upon such compliance. For instance, an aeronautical study may identify an object that exceeds obstruction standards but will provide that the object will not be considered a hazard to air navigation if, as a condition to this Determination, the structure is to be marked/lighted in accordance with ...[the Marking/Lighting] Advisory Circular 70/7460-1L.

Moreover, since the Marking/Lighting AC incorporates the Specification AC, in order to achieve non-hazard status, the owner of the structure must comply, in a mandatory way, with both the Specification AC and the Marking Lighting AC. This is also mandated by Federal Communications Commission (FCC) regulations.

In the context where an owner is using certified equipment and needs to replace a part, there may be a choice between an Original Equipment Manufacturer (OEM) part and a non-OEM part. Where the owner did not acquire or install the lights with AIP or PFC funds, then neither the FAA nor the FCC mandates a specific choice.

Where an owner elects to use a non-OEM part, however, then the owner can no longer rely upon the certification. In such a case, the responsibility (including the responsibility to satisfy FCC regulatory requirements) falls on the owner to make sure that the system with the non-OEM replacement part or non-production component meets the requirements contained within the Marking/Lighting AC and the Specification AC.

Sincerely,

A handwritten signature in black ink, appearing to read "Khalil Kodsí", with a long horizontal stroke extending to the right.

Khalil E. Kodsí, P.E., PMP

Manager, Airport Engineering Division, AAS-100