22 December 1970

Mr. Alvin H. Parker
Ector Aircraft Company
414 East Hillmont
Odessa, Texas 79760

Dear Mr. Parker:

We refer to your letter of November 23, 1970 in which you requested our opinion as to whether certain documents of ownership submitted by you comply with the requirements of Section 47.33(d) of the Federal Aviation Regulations.

In your letter you indicate that you are the sole owner of the Ector Aircraft Company, which is engaged in the assemblying of aircraft conforming to aircraft type certificate specification No. 3A5 for Cessna 305A aircraft. As we understand your operation, your company purchases new and used surplus parts in bulk lots, without serial number identification, from a variety of sources including Cessna distributors, surplus disposal agencies, and individual surplus material dealers. You then utilize this material to construct the aircraft. We also understand that your company holds 13 supplemental type certificates. You indicate that you presently have sufficient parts on hand to assemble 30 aircraft which would be assigned serial numbers by your company upon completion of the work. In assemblying these aircraft, your company actually constructs the fuselage.

You also advised us that you have experienced a continuing problem in furnishing a bill of sale or other evidence of ownership which would be acceptable under the provisions of Section 47.33(d). It is your proposal to submit all of the documentary evidence which you have for inclusion in a special file with the Aircraft Registry. You would then submit an affidavit with each application for registration which would refer to this file. For the purpose of our opinion, you have forwarded all of the ownership documents. A review of this material indicates that it consists of a variety of documents, including cancelled checks for payment of specific material, receipts for the purchase of material, notices of award for the purchase of aircraft parts and equipment from the U.S. government, and miscellaneous invoices and shipping documents. In general, these documents do not contain any reference to any identifiable component part, but rather contain general descriptions of the parts and the number or amount of parts or material purchased.

After reviewing the documentary evidence submitted by you, it is our conclusion that these documents do not meet the requirements of Section

47.33(d). Section 47.33 sets forth the requirements for those applications for registration of aircraft which have not been previously registered anywhere. Paragraph (d) contains additional requirements for those situations where the owner, other than the holder of the type certificate, assembles the aircraft from parts to conform to the approved type design. These requirements, of course, apply to your situation and require that the owner submit "evidence of ownership satisfactory to the Administrator, such as bills of sale, for all major components of the aircraft." It seems clear that the material submitted by you cannot be related to any specific component part. Thus, while documents such as invoices, notices of award, etc. might be considered evidence satisfactory to the Administrator in some instances, they must be specific enough so as to establish the ownership of a major component of the aircraft. For this reason, we must advise the FAA Aircraft Registry that the documents do not form a satisfactory basis for registration of your aircraft.

It appears to us that your problem might be somewhat unique due to both the manner of disposing of such surplus property and the nature of your operation. Section 11.25 of the Federal Aviation Regulations does authorize any interested person to petition the Administrator for a temporary or permanent exemption from any rule issued by the Federal Aviation Administration. A copy of this section is enclosed for your information.

Sincerely,

FREDERICK C. WOODRUFF
Asst. Aeronautical Center Counsel, AC-7

Enclosure

cc:
GC-20
AC-250