

§21.185

§21.185 Issue of airworthiness certificates for restricted category aircraft.

(a) *Aircraft manufactured under a production certificate or type certificate.* An applicant for the original issue of a restricted category airworthiness certificate for an aircraft type certificated in the restricted category, that was not previously type certificated in any other category, must comply with the appropriate provisions of §21.183.

(b) *Other aircraft.* An applicant for a restricted category airworthiness certificate for an aircraft type certificated in the restricted category, that was either a surplus aircraft of the Armed Forces or previously type certificated in another category, is entitled to an airworthiness certificate if the aircraft has been inspected by the FAA and found by him to be in a good state of preservation and repair and in a condition for safe operation.

(c) *Import aircraft.* An applicant for the original issue of a special airworthiness certificate for a restricted category import aircraft is entitled to that certificate 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 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.

(d) *Noise requirements.* For propeller-driven small airplanes (except airplanes designed for “agricultural aircraft operations,” as defined in §137.3 of this chapter, as effective on January 1, 1966, or for dispensing fire fighting materials) that have not had any flight time before the applicable date specified in Part 36 of this chapter, and notwithstanding the other provisions of this section, no original restricted category airworthiness certificate is issued under this section unless the FAA finds that the type design complies with the applicable noise requirements of Part 36 of this chapter in ad-

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dition to the applicable airworthiness requirements of this section. For import airplanes, compliance with this paragraph is shown if the country in which the airplane was manufactured certifies, and the FAA finds, that the applicable requirements of Part 36 of this chapter (or the applicable airplane noise requirements of the country in which the airplane was manufactured and any other requirements the FAA may prescribe to provide noise levels no greater than those provided by compliance with the applicable requirements of Part 36 of this chapter) and paragraph (c) of this section are complied with.

[Amdt. 21–10, 31 FR 9211, July 6, 1966, as amended by Amdt. 21–32, 35 FR 10202, June 23, 1970; Amdt. 21–42, 40 FR 1034, Jan. 6, 1975; Amdt. 21–92, 74 FR 53389, Oct. 16, 2009; Amdt. 21–92, 74 FR 53389, Oct. 16, 2009; Amdt. 21–92A, 75 FR 9095, Mar. 1, 2010]

§21.187 Issue of multiple airworthiness certification.

(a) An applicant for an airworthiness certificate in the restricted category, and in one or more other categories except primary category, is entitled to the certificate, if—

(1) He shows compliance with the requirements for each category, when the aircraft is in the configuration for that category; and

(2) He shows that the aircraft can be converted from one category to another by removing or adding equipment by simple mechanical means.

(b) The operator of an aircraft certificated under this section must have the aircraft inspected by the FAA, or by a certificated mechanic with an appropriate airframe rating, to determine airworthiness each time the aircraft is converted from the restricted category to another category for the carriage of passengers for compensation or hire, unless the FAA finds this unnecessary for safety in a particular case.

(c) The aircraft complies with the applicable requirements of part 34.

[Doc. No. 5085, 29 FR 14569, Oct. 24, 1964, as amended by Amdt. 21–68, 55 FR 32860, Aug. 10, 1990; Amdt. 21–70, 57 FR 41369, Sept. 9, 1992]