



# LEGAL EASE

## AVIATION LAW MADE SIMPLE

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## Repair Stations and Mechanics: An Important Relationship

**A** number of rules impact the relationship between a repair station and its employees — and AEA members should take note of a number of additional changes affecting mechanics and repairmen, including ongoing training requirements and changes in mechanics' certificates in both the United States and Europe.

### Training

By now, all repair stations should have their training programs in place in accordance with 14 C.F.R. § 145.163. Many of you took advantage of the AEA training manual template, which was based on the FAA's own advisory circular.

One of the best opportunities to obtain training for your employees is during the AEA's annual convention. If you missed the convention in April, it's still not too late to obtain high-quality training — the AEA's regional meetings, scheduled for this fall, offer excellent recognized training opportunities as well. FAA inspectors with an interest in avionics also are welcome to attend — and every year, there has been an increase in the number of inspectors attending the AEA's meetings to keep up-to-date with the rapidly changing world of avionics.

In addition, the AEA offers a number of CD-based training materials

### Hazardous Materials Transportation Training

| Dates       | City                    | Location                          |
|-------------|-------------------------|-----------------------------------|
| May 14-15   | Washington, D.C.        | Office of the AEA General Counsel |
| May 21-22   | Miramar, Fla.           | Hilton Garden Inn                 |
| June 17-18  | Los Angeles, Calif. LAX | Embassy Suites                    |
| Sept. 23-24 | Kansas City, Mo.        | The new AEA Headquarters          |

available to supplement your training program. Later this year, the AEA plans to make available a program on contract maintenance and how to make certain you comply with § 145.217.

The AEA also has been distributing a program that provides an introduction to the EPA, OSHA, hazmat and security issues facing repair stations. This program is intended to provide a supplement to meet some of the training program requirements found in FAA advisory circular AC 145-10.

One of the things you will learn through this program is the United States government requires recurrent hazmat training for repair station personnel. The FAA inspector's guidance directs FAA inspectors to look actively at repair station training records to ensure the repair station has obtained appropriate hazmat training for its personnel.

To ensure AEA members meet this requirement, the Association and the Washington Aviation Group have scheduled four hazmat training ses-

sions around the country for 2008.

For more information on these classes available to AEA members, visit <http://washingtonaviation.com/hazmat>.

Just as the AEA has welcomed FAA inspectors to attend its training functions, the FAA has welcomed the private sector into its training sessions. The FAA has training classes for its own employees and designees.

Generally, FAA training is open to the public on a space-available basis. Classes include subjects such as aircraft alteration/repair and suspected unapproved parts. These classes show participants what the FAA expects from its inspector corps when it provides oversight. An understanding of the information provided from these courses can help a repair station better comply and better organize its compliance to support FAA compliance auditing efforts.

For more information about these FAA courses, visit <https://av-info.faa.gov/dsgreg>.

## New Plastic Card Certificates

The FAA has published a rule requiring airmen regulated under 14 CFR Part 65 to trade in their paper airmen certificates for a new plastic card airman certificate. This rule applies to mechanics and repairmen.

The new regulation was issued in response to the FAA Drug Enforcement Assistance Act, the stated purpose of which is to upgrade the quality of data and documents to assist federal, state and local agencies in enforcing the nation's drug laws.

The rule became effective March 31, 2008. Five years after the rule became effective (by March 31, 2013), mechanics and repairmen will no longer be allowed to use paper certificates to exercise the privileges authorized by the certificates. The rule does not cancel or revoke the airman's certification; rather it requires airmen to have the plastic card certificate to exercise the privileges associated with their certificates.

Although the Drug Enforcement Assistance Act only addressed pilot certificates, the FAA decided to adopt parallel changes for additional airmen certificates to address potential problems associated with accurate identification of airman certificate holders. According to the rule, mechanics have both access and opportunity to participate in drug-smuggling activities.

The new certificates are made of high-quality plastic card stock and include security features — such as micro printing, a hologram and an ultraviolet-sensitive layer — to reduce the ability to create counterfeit airmen certificates.

The rule does not require the paper certificate to be surrendered when getting the new plastic card certificate. Those who would like to retain the paper certificate after replacement can do so, but it will become invalid as the basis to exercise the privileges of the certificate. To make the replacement

process easier, an online system has been set up.

## New European Ratings

The U.S. is not the only location where changes are affecting mechanics. The European Aviation Safety Agency has proposed several new categories (ratings) for mechanics' certificates under EASA Part 66. These new categories would permit maintenance of certain non-complex general aviation aircraft.

The proposed Part 66 categories would cover maintenance of sailplanes, powered sailplanes and non-pressurized airplanes of 2,000 kg (4,400 lbs.) maximum take-off mass (MTOM) or less. Under current regulations, certification of such airmen is performed under the national rules of each EASA member state. The proposed rule would transfer the responsibility for the regulations associated with these maintenance providers from the individual countries to EASA, although each national authority would remain responsible for enforcement within its boundaries.

In particular, EASA proposes to create two new certificates:

- B3: sailplanes, powered sailplanes and piston-engine non-pressurized aeroplanes of 2,000 kg MTOM and below.
- ELA: sailplanes and airplanes with MTOM less than 1,000 kg that are not classified as "complex motor-powered aircraft," as well as balloons and other gas air ships.

The ELA certificate would be subdivided further into "basic" and "full." The "basic" ELA certificate would not permit approval of annual inspections nor approval of major repairs or alterations. Annual inspections, approval of major repairs and approval of major alterations would be privileges of the "full" ELA.

The proposed rule is open for com-

ment through June 28, 2008, and can be viewed at [http://hub.easa.europa.eu/crt/get-file/f\\_NPA%202008-03.pdf](http://hub.easa.europa.eu/crt/get-file/f_NPA%202008-03.pdf).

## AEA Members

The relationship between a repair station and its employees is a vital one. Understanding how the current and future regulations impact this relationship is important to the future success of all AEA members. □

*If you have comments or questions about this article, send e-mails to [avionicsnews@aea.net](mailto:avionicsnews@aea.net).*