14 CFR Parts 43, 91 and 145

Repair Stations

Notice of proposed rulemaking (NPRM)

Part 3
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Webinar Dates and Times:

• **June 20 - 11:00 a.m. CDT**
  – Part 1: Developing and Submitting Comments to NPRM. Overview of the FAA's Proposal

• **July 16 - 4:00 p.m. CDT**
  – Part 2: In-depth analysis of FAA's Proposed Changes to Part 145

• **August 7 - 11:00 a.m. CDT**
  – Part 3: Continuation of the progressive analysis of the FAA's Proposed Changes to Part 145. Preparation for submitting your comments to the FAA
Today’s Agenda

• Review of the FAA Part 145 NPRM
  – What has the FAA Proposed?

• Review FAA comments and justifications

• Review www.regulation.gov
Continue with NPRM Review
FAA comments and justification

- From the Federal Register
System of Ratings

• Part 145’s system of ratings does not address current technology or industry practices.

• It is not dynamic and cannot adapt as new technologies are introduced.

• It is also not defined clearly and is open to inconsistent interpretation and application.
• The FAA recognizes that the proposals in this NPRM represent a major revision to part 145.

• There would be many new and enhanced requirements as well as an in-depth change to the ratings system.

• These changes would require the revision of several existing repair station documents.

• These document changes would have to be reviewed and accepted by the FAA.

• This could then lead to delays in granting repair stations the approvals they need to operate.
• All repair stations certificated before the effective date of the final rule would have to timely apply for certification under the proposed rules if they intend to continue to operate without interruption.

• Repair stations are cautioned that waiting until later in the 24-month transition period may increase the risk that unforeseen circumstances might result in the repair station not having an active certificate until such time as the FAA can review the submitted documents and provide the repair station with a new repair station certificate.
Transition

• An application for the proposed Component rating would have to include a list of the components that the repair station intends to maintain.
Appropriate Equipment

• Current § 145.51(b) requires that the equipment, personnel, technical data, and housing and facilities required for the certificate and rating, or for an additional rating, must be in place for inspection at the time of certification or rating approval by the FAA.
• Current § 145.51(b)

• This section also states that an applicant may meet the equipment requirement if it has a contract acceptable to the FAA with another person to make the equipment available to the applicant at the time of certification and at any time it is necessary when the relevant work is being performed by the repair station.
Appropriate Equipment

- The FAA believes it should not grant a repair station certificate to an applicant with a virtually empty building based merely on a showing it can get the required equipment by contract when needed.
Therefore, the FAA proposes to change the rule to remove any ambiguity by requiring the repair station to meet the equipment requirements of proposed § 145.1051 by having the equipment available for inspection at certification.

The repair station would not need to own the equipment but would be required to present the equipment during certification and have it available thereafter.
Appropriate Equipment

- The FAA also proposes to clarify the scope of the kinds of items a repair station must have for initially obtaining certification by adding both tools and test apparatus to the list of items a repair station must have on site.
Appropriate Equipment

• While the term “equipment” could be interpreted to include many examples of each, adding the term “tools” to the regulation would ensure that an applicant for a repair station certificate also have on site certain tools necessary for the rating sought that individual mechanics or repairmen might not possess.

• This might include tools that are of a specialized nature for the rating or other tools that might be too large or expensive, or of a limited specialized nature.
• For the same reasons, and for consistency with the requirements of § 43.13(a), the FAA proposes to add “test apparatus” to the list of items a repair station must have in place for inspection at the time of initial certification or rating approval.
• During the repair station certification process, an applicant’s ratings are established following a demonstration to the FAA that the applicant is capable of performing maintenance on specific articles.

• Following certification, the FAA expects that a repair station continues to manage and control its capabilities on each individual article it maintains.

• This is accomplished by the repair station ensuring that it has, for example, trained personnel, and the necessary data, facilities, and equipment.
• Under the current Limited rating, a repair station is required to document each article it maintains on either a capability list, or on the repair station’s operations specifications.

• For Class ratings, the FAA assumes that a repair station, using its own methods, manages its capabilities with the same level of detail (although this is not required).
• Under this Class rating system, what an individual repair station is actually capable of maintaining is for the most part known only to the repair station and the individual FAA principal inspector(s) assigned to manage that repair station’s certificate.
• The FAA believes it is critical that both a repair station and the FAA are able to identify the actual certified capabilities of that repair station at any given time.

• It is important that the actual capabilities of a repair station are documented and that the documentation is current.
The 2006 NPRM was not clear as to how the articles should be listed on the capability list.

The FAA is proposing to define what is required on the capability list by adding two terms.  
- The first, “series as applicable,” would recognize that not all models have series.  
- The second, “basic part number,” would be added to clarify that it is not necessary to list each model or part “dash number.”

The requirements for identifying articles on the capabilities list would provide clarity, consistency, and flexibility.
• If the repair station chooses to use a capability list, the proposed rule would require that it identify each airframe, powerplant, or propeller by manufacturer, model, and series as applicable.

• For a component rating, the proposed rule would require that the list identify each component for which the repair station is rated by manufacturer, manufacturer-designated nomenclature, and basic part number.
Under this proposed rule, all repair stations could proceed in one of two ways to add an article to their capabilities list.

First, a repair station could submit a request to the FAA for approval. The request would have to document that the repair station is capable of performing the requested work—it would have to demonstrate that it has the technical data, housing, facilities, equipment, material, processes, and trained personnel to perform the work on the article for which it seeks approval.
• Second, either during the repair station’s initial application process, or later through an amendment to its operations specifications in accordance with proposed § 145.1058, the repair station could seek a general authorization in its operations specifications to perform a self-evaluation each time it wishes to add an article to its capabilities list.
Contract Maintenance

• The FAA is proposing in § 145.1217(b)(1) to add a reference to the quality control system procedures proposed in § 145.1211(c)(1)(vi) to emphasize that the quality control system of each noncertificated person with whom a repair station contracts a maintenance function must be equivalent to its own.

• The contracting repair station must physically observe the quality control system of each noncertificated person with whom it wishes to contract and determine that it meets this standard before any maintenance is performed by that person.
Avionics

- Aviation electronic technology has advanced dramatically since the advent of the current ratings system.
- Because of these advancements, the ARAC recommended the addition of an avionics rating.
- The FAA proposed such a rating in the 2006 NPRM.
- The commenters generally opposed a separate avionics rating. Most of these commenters stated that avionics are components and should simply be identified as such.
- Moreover, other commenters stated that confusion would exist if avionics were made a separate category of component.
To recognize advances in the field of aviation electronics and to reduce any confusion that exists regarding the differences and overlaps in the terms instruments, electronics, electrical systems, and avionics, the FAA is proposing to add a definition for the term “Avionics” in proposed § 145.1003(c).

Under this definition, “Avionics” (i.e., aviation electronics) would be any component generally associated with processing digital electronic signals.

Examples of such components include radios and navigation equipment, radar, and data processors.
Housing and Facilities

• The FAA is proposing to amend the rules for housing and facilities to require that the housing for the facilities, equipment, materials, and personnel be both suitable and permanent.
The FAA proposes to revise this section to require “suitable permanent” housing.

A requirement for permanent housing refers not only to the construction of the facility, but also to the fact that the certificate holder must have sole operational control at all times of the housing it uses to obtain certification, either by ownership or by contract.
Housing and Facilities

• The FAA understands that repair stations may share the same hangar or building, and this would still be allowed under this proposal.

• However, these repair stations *may not share the same* space in that hangar or building and each repair station must have full control of its space at all times.

• In addition, it must be clearly defined as to what space is under the control or contract of each repair station and this space must be clearly defined in each repair station’s manual as required in proposed § 145.1209(b).
Supervisory Personnel Requirements

• Section 145.153(a) requires supervisors to oversee the work performed by any individuals who are unfamiliar with the methods, techniques, practices, aids, equipment, and tools used to perform maintenance.

• The FAA is proposing to simplify this requirement to specify that supervisors must be present to oversee the work being performed by the repair station.
Supervisory Personnel Requirements

• The appropriateness of the certificate is based in the privilege of the mechanic or repairman certificate issued under part 65 subpart D or E.

• For example, a supervisor who holds a mechanic certificate with airframe and powerplant ratings issued under part 65 would not be appropriately certificated to supervise work on instruments.
  – A supervisor would need to hold a repairman certificate to supervise work on instruments.
Supervisory Personnel Requirements

• Finally, § 145.153(c) requires repair stations to ensure that each supervisor understands, reads, and writes English.

• The FAA is proposing in § 145.1153(c) that these supervisors also be able to speak English.

• This would help to confirm that supervisors read and understand English.
Training Requirements

• Currently, the training program must ensure that each employee assigned to perform maintenance, preventive maintenance, or alterations, and inspection functions is capable of performing the assigned task.

• The FAA believes that the current requirement is too broad and lacks specific elements.
Training Requirements

• The FAA believes …. 

• Training in human factors, federal regulations, and repair station manuals, procedures, and forms are minimum subject areas that should be covered in all training programs submitted for approval.
Training Requirements

Therefore, the FAA is proposing in § 145.1163(b) to require that the training program ensure that employees who perform maintenance, preventive maintenance, and alterations be:

– (1) capable of performing the assigned task,
– (2) trained in human factors relevant to aviation maintenance,
– (3) trained in the Federal Aviation Regulations as they relate to Part 145, and
– (4) trained in the repair station’s manuals, procedures, and forms.
Privileges and Limitations of Certificate

• The current limitation in § 145.201(b) providing that a repair station may not maintain or alter any article for which it is not rated has caused confusion concerning the responsibilities of repair stations and their oversight by the FAA.
Privileges and Limitations of Certificate

- Part 145 contains the rules repair stations must follow when working on articles to which part 43 applies, yet § 145.201(b) is drafted broadly and would seem to prohibit work on articles not governed by part 43.

- Rather than proposing an amendment that would explain in the text of the paragraph that the prohibition applies only to articles governed by part 43, the FAA proposes to clarify the issue by combining the text currently in §§ 145.201(b) and (c) into proposed § 145.1201(b).

- This would provide a single list of when a repair station may not approve an article for return to service.
Consistency Changes in Parts 43 and 91

- Based on the above proposals, we are also proposing changes to the following sections in parts 43 and 91: Appendix B of part 43, § 91.171, § 91.319, § 91.327, § 91.411, § 91.413, and Appendix A to Part 91.

- These sections/appendices currently reference some element of a repair station’s operations that would be changed based on the proposals in this document.

- As such, these sections/appendices would need to be modified to be consistent with such proposals.
This proposal is based on...

The FAA believes ....
DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 43, 91 and 145

[Docket No. FAA–2006–26408; Notice No. 12–03]

RIN 2120–AJ61

Repair Stations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).
DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 43, 91 and 145

[Docket No. FAA–2006–26408; Notice No. 12–03]

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Docket No. FAA–2006–26408
You are commenting on a Proposed Rule: Repair Stations (Document ID FAA-2006-26408-0161)

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Comment:
John Goodwin,
FAA, Repair Station Branch (AFS–340),
800 Independence Avenue SW.,
Washington, DC 20591
Repair Stations (Docket No. FAA–2006–26408)

Opening paragraph;
  who you are,
  why this is important, 
 overall what is your view of the proposal
Pilot Loading of Navigation and Terrain Awareness Database Updates (Docket No. FAA–2011–0763)

The Aircraft Electronics Association (AEA) appreciates the opportunity to comment on the recent Notice of Proposed Rulemaking (NPRM) on Pilot Loading of Navigation and Terrain Awareness Database Updates.

The Association represents more than 1300 aviation businesses worldwide, including repair stations that specialize in maintenance, repair and installation of avionics and electronic systems in general aviation aircraft. AEA membership also includes instrument facilities, manufacturers of avionics equipment, instrument manufacturers, airframe manufacturers, test equipment manufacturers, major distributors, and educational institutions.
Questions?

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