

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 8757; Amdts. 43-10, 91-62]

#### PART 43—MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING, AND ALTERATION

#### PART 91—GENERAL OPERATING AND FLIGHT RULES

#### Mechanical Work Performed on U.S. Registered Aircraft by Certain Canadian Persons

The purpose of these amendments to Parts 43 and 91 of the Federal Aviation Regulations is to extend to authorized employees of approved Canadian companies the privileges presently granted Canadian Aircraft Maintenance Engineers; to authorize certain Canadian individuals to perform 100-hour inspections; to clarify the provisions for approval of Canadian performed mechanical work; and to permit operation of an aircraft following a 100-hour inspection performed by the authorized Canadian persons.

These amendments were proposed in notice of proposed rule making (Notice 68-6) published in the FEDERAL REGISTER on March 12, 1968 (33 F.R. 4420).

One of the comments stated that the proposal was acceptable provided the persons performing the inspections and mechanical work other than holders of Canadian Aircraft Maintenance Engineer licenses, have qualifications which are equivalent to the U.S. standard and requirement for similar work. This comment obviously has reference to a Canadian Approved Inspector. The FAA is satisfied that all the persons authorized to perform these tasks have such qualifications. In this connection, the Canadian Department of Transport (DOT) has advised the FAA that the principal difference between an "Approved Inspector" and a "Canadian Aircraft Maintenance Engineer" (who is authorized by the current provisions of § 43.17 to perform maintenance, preventive main-

tenance, and alterations on U.S. registered aircraft in Canada) is that the Approved Inspector certifies work under a company approval number instead of a personal license number. In fact, the Canadian DOT advises that employees of an Approved Company who hold signing authority (Approved Inspectors) are classed as Aircraft Maintenance Engineers.

There were other comments that endorsed the proposal and recommended that the Canadian authorities be authorized to perform the required work on U.S. airplanes in Canada necessary for the continued airworthiness status of these airplanes (i.e., the performance of the annual inspections required by Part 91). While these recommendations involve substantive changes to the present requirements that go beyond the scope of Notice 68-6, it should be noted that the purpose of the proposal is to provide for a more uniform administration of the reciprocal arrangement between Canada and the United States. In this connection, the Canadian Department of Transport does not permit U.S. certificated mechanics to perform the yearly inspections required for renewal of Canadian airworthiness certificates.

The notice also proposed that performance of mechanical work be conditioned upon the maintenance record entries being made in accordance with § 43.9 of Part 43. That section requires, in part, that major repairs and major alterations be entered on a form and the form disposed of in the manner prescribed in Appendix B to Part 43. The requirement in Appendix B that a copy of the form be forwarded to the local FAA Flight Standards District Office is not appropriate or applicable to work performed in Canada on U.S. registered aircraft. The form containing the information on major repairs and major alterations should be forwarded to the Federal Aviation Administration, Aircraft Registration Branch, Post Office Box 25082, Oklahoma City, Okla. 73125. In addition, it should be made clear that all of the FAA Form 337 must be completed, including the portion covering approval for return to service prior to the time it is forwarded to the FAA. Therefore, a new paragraph (c) has been added to Appen-

Published in the Federal Register [33 F.R. 15988] and ~~16273~~.

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\*correction

dix B covering major repairs and major alterations performed in accordance with § 43.17. Since this is a clarification that imposes no additional burden on any person, further notice and public procedure thereon is unnecessary.

Interested persons have been afforded an opportunity to participate in the making of this amendment. All relevant matter submitted has been fully considered.

In consideration of the foregoing, Parts 43 and 91 of the Federal Aviation Regulations (14 CFR Parts 43 and 91) are amended effective November 29, 1968 as follows:

1. Section 43.17 is amended to read as follows:

**§ 43.17 Mechanical work performed on U.S. registered aircraft by certain Canadian persons.**

(a) A person holding a valid mechanic certificate of competence (Aircraft Maintenance Engineer license) and appropriate ratings issued by the Canadian Government, or a person who is an authorized employee (Approved Inspector) performing work for a company whose system of quality control for the inspection and maintenance of aircraft has been approved by the Canadian Department of Transport may, in connection with aircraft of U.S. registry in Canada:

(1) Perform maintenance, preventive maintenance and alterations if those operations are done in accordance with § 43.13 and the maintenance record entries are made in accordance with § 43.9.

(2) Perform the 100-hour inspection required by Part 91 of this chapter if that inspection is done in accordance with § 43.15 and the maintenance record entries are made in accordance with § 43.11.

(3) Approve (certify) maintenance, preventive maintenance, and alterations performed under this section except that a Canadian Aircraft Maintenance Engineer may not approve a major repair or major alteration.

(b) A Canadian Department of Transport Airworthiness Inspector, or an authorized employee (Approved Inspector) performing work for a company approved by the Canadian Department of Transport, may approve (certify) a major repair or major alteration performed under this section if the work was done in accordance with technical data approved by the Administrator.

(c) No person may operate in air commerce an aircraft, airframe, aircraft engine, propeller, or appliance on which maintenance, preventive maintenance, or alteration has been performed under this section unless it has been approved by a person authorized in this section.

2. Appendix B to Part 43 is amended by amending the introductory statement of paragraph (a), and by adding a new paragraph (c), to read as follows:

**APPENDIX B—RECORDING OF MAJOR REPAIRS AND MAJOR ALTERATIONS**

(a) Except as provided in paragraphs (b) and (c), each person performing a major repair or major alteration shall—

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(c) For a major repair or major alteration made by a person authorized in § 43.17, the person who performs the major repair or major alteration and the person authorized by § 43.17 to approve that work shall execute a FAA Form 337 at least in duplicate. A completed copy of that form shall be—

(1) Given to the aircraft owner; and

(2) Forwarded to the Federal Aviation Administration, Aircraft Registration Branch, Post Office Box 25082, Oklahoma City, Okla. 73125, within 48 hours after the work is inspected.

3. Section 91.169(b) is amended to read as follows:

**§ 91.169 Inspections.**

\* \* \* \* \*

(b) Except as provided in paragraph (c) of this section, no person may operate an aircraft carrying any person (other than a crewmember) for hire or to give flight instruction for hire unless, within the preceding 100 hours of time in service, it has been inspected and approved for return to service in accordance with Part 43 of this chapter. The 100-hour limitation may be exceeded by not more than 10 hours if necessary to reach a place at which the inspection can be done. The excess time, however, is included in computing the next 100 hours of time in service.

(Sec. 101(7), 313(a), 601, 610, Federal Aviation Act of 1958; 49 U.S.C. 1301(7), 1354(a), 1421, 1423, 1430)

Issued in Washington, D.C., on October 24, 1968.

OSCAR BAKKE,  
For the Acting Administrator.

ref Amdt. No. 43-10

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tration, Department of Transporta-  
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**PART 43—MAINTENANCE, PREVENT-  
ATIVE MAINTENANCE, REBUILD-  
ING, AND ALTERATION**

*Correction*

In F.R. Doc. 68-13205 published at page 15988 in the issue of Thursday, October 31, 1968, the 10th through 21st lines of § 43.17(a) are corrected to read as follows: "been approved by the Canadian Department of Transport may, in connection with aircraft of U.S. registry in Canada:".