

See Correction

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 9083; Amdt. 183-4]

PART 183—REPRESENTATIVES OF THE ADMINISTRATOR

Issuance of Experimental Certificates by Designated Manufacturing Inspection Representatives

The purpose of this amendment of § 183.31 of the Federal Aviation Regulations is to permit designated manufacturing inspection representatives (DMIRs) to issue experimental certificates for production certificate holders. The amendment would also remove the DMIR's present delegation of authority to conduct station inspections.

This amendment is based on notice of proposed rule making No. 68-34, published in the FEDERAL REGISTER on December 6, 1968 (33 F.R. 18200).

Several comments were received on the proposal contained in Notice No. 68-34. The comments unanimously were in accord with the proposal to permit DMIRs to issue experimental certificates for production certificate holders. However, two of the comments objected to removing the DMIR's authority for conducting station and conformity inspections.

One commentator objecting to withdrawing from DMIRs the authority to make station and conformity inspections, stated that the requirements for a DMIR are stringent enough to insure that most DMIRs are as well qualified as FAA personnel to perform these functions. The other commentator stated that deletion of this authority to DMIRs is inconsistent with past FAA policy of advocating greater industry use of des-

ignees and delegations, and that deletion of such authority, with out numerous additional FAA inspectors to provide timely conformity inspections, would result in production delays.

For this reason, the conformity inspection function of the DMIR has been retained in the rule. However, the station inspection function of the DMIR has become obsolete, as this function has for many years been reserved for FAA personnel who have the responsibility to monitor quality assurance in the production of aircraft and aircraft parts. Therefore, this latter function has been deleted in the amendment.

Furthermore, there is a need to update certain terminology in section 183.31 that is inconsistent with that used in other portions of the airworthiness parts amended subsequent to the adoption of § 183.31(a). For example, § 183.31(a) provides for the issuance of airworthiness and export certificates "for aircraft, engines, propellers, and other type certificated products * * *". Type certificates have, for at least 10 years, been issued only to aircraft, engines, and propellers, and airworthiness certificates are issued only for aircraft. Airworthiness approvals, however, are issued for engines and propellers. For these reasons, the various kinds of certificates and approvals issued by a DMIR should be clarified by separating the various kinds of issuances for consistency with current terminology. Therefore, the amendment is updated to use terminology consistent with that used in other airworthiness rules dealing with the same kind of issuances.

The amendment as proposed in the NPRM included a provision that before an experimental certificate is issued by a DMIR, he shall obtain from the Administrator any limitations and conditions that the Administrator considers necessary for safety. As DMIRs are representatives of the Administrator and act within limits prescribed by and under the general supervision of the Admin-

istrator, a general provision to that effect has been included in the amendment in lieu of the provision that was in the proposed amendment.

In consideration of the foregoing, § 183.31 of the Federal Aviation Regulations is hereby amended, effective October 6, 1969, as follows:

§ 183.31 Designated manufacturing inspection representatives.

A designated manufacturing inspection representative (DMIR) may, within limits prescribed by and under the general supervision of the Administrator—

(a) Issue—

(1) Original airworthiness certificates for aircraft and airworthiness approvals for engines, propellers, and product parts that conform to the approved design requirements.

(2) Export certificates of airworthiness and airworthiness approval tags in accordance with Subpart L of Part 21 of this chapter;

* * * * *

(c) Make conformity inspections;

(d) Make any other inspections that may be necessary to determine whether prototype and production articles are airworthy and safe for operation; and

(e) Issue experimental certificates for aircraft for which the manufacturer holds the type certificate and which have undergone changes to the type design requiring a flight test.

An authorization under this section is valid only for the manufacturing plant at which the representative is employed.

(Secs. 13(a), 314, 601, 603, 608, 609, Federal Aviation Act of 1958; (49 U.S.C. 1354(a), 1355, 1421, 1423, 1428, 1429; sec. 6(c), Department of Transportation Act 49 U.S.C. 1655(c))

Issued in Washington, D.C., on August 29, 1969.

D. D. THOMAS,
Acting Administrator.

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