

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

[Docket No. 7756; Amdt. No. 21-14]

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

Export Airworthiness Approval Procedures

The purpose of this amendment to § 21.325 of the Federal Aviation Regulations (FARs) is to remove the restriction on the issuance of export airworthiness approvals for new, small airplanes (those having a maximum certificated takeoff weight of 12,500 pounds or less) that are type certificated under Part 4a of the Civil Air Regulations (CARs).

As pertinent here, § 21.325(b)(1) states that export airworthiness approvals may be issued for an airplane type certificated under Part 23 and manufactured under a production certificate without that aircraft having been assembled and flight tested.

The export airworthiness approval regulations were originally proposed as part of the Civil Air Regulations. At that time it was determined that small, type certificated airplanes manufactured under a production certificate, as distinguished from large, complex airplanes, could be excepted from the general assembly and flight-test conditions on which the approvals were to be based. However, since there were no small airplanes type certificated under Part 4a of the Civil Air Regulations then in production, the exception was considered only in terms of small airplanes type certificated under Part 3 of the Civil Air Regulations. Moreover, since the rules governing export airworthiness approvals did not become effective until after Part 3 of the Civil Air Regulations had been recodified as Part 23 of the Federal Aviation Regulations, the exception from the assembly and flight-test requirements was stated as applicable to FAR Part 23 airplanes.

It now appears that at least two small airplanes type certificated under Part 4a of the Civil Air Regulations are currently in production. In this connection, Champion Aircraft Corp., a manufacturer of such an airplane, has petitioned for an amendment to § 21.325(b)(1) to

permit the issuance of an export airworthiness certificate for aircraft type certificated under Part 4a of the Civil Air Regulations and manufactured under a production certificate without the necessity of having to assemble and flight-test the aircraft.

As previously indicated, at the time that the current regulation was under consideration, there was no need to refer to airplanes type certificated under Part 4a. Nevertheless, the reasons for excepting new airplanes type certificated under Part 23 and manufactured under a production certificate from the assembly and flight-test requirements are equally applicable to new Part 4a airplanes manufactured under a production certificate. Therefore, in view of the current production activity with respect to small airplanes type certificated under Part 4a, it is considered appropriate to amend the regulation as requested.

Since this amendment removes an unnecessary restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective on less than 30 days' notice.

In consideration of the foregoing, § 21.325(b)(1) of the Federal Aviation Regulations is amended, effective February 16, 1967, to read as follows:

§ 21.325 Export airworthiness approvals.

(b) *Products which may be approved.*
Export airworthiness approvals are issued for—

(1) New aircraft that are assembled and that have been flight tested, and other Class I products located in the United States, except that export airworthiness approval may be issued for either of the following without assembly or flight-test:

(i) A small airplane type certificated under Part 3 or 4a of the Civil Air Regulations, or Part 23 of the Federal Aviation Regulations, and manufactured under a production certificate; or

(ii) A glider type certificated under § 21.23 of this part and manufactured under a production certificate.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on February 10, 1967.

WILLIAM F. MCKEE,
Administrator.

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