Advance Copy -
Pending issuance of
Revised Part 47 and
Change to Part 49

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

(Docket No. 7190;
Revised Part 47
and Amdt. 49-1)

PART 47—AIRCRAFT REGISTRATION

PART 49—RECORDING OF AIRCRAFT TITLES AND SECURITY DOCUMENTS

Miscellaneous Amendments

The purpose of this revision is to delete from Parts 47 and 49 the acknowledgment requirement of section 503(e) of the Federal Aviation Act of 1958; to introduce new forms adapted to computer processing of Certificates of Aircraft Registration; to allow the recording and use of true copies; and to make clarifying and editorial changes. Since almost all of Part 47 is affected, it is being republished in revised form at this time.

P.L. 88-346 amended section 503(e) of the Federal Aviation Act of 1958, and added section 506 to the Act. Amended section 503(e) allows the Administrator to make exceptions by regulation to the requirement that a conveyance or other instrument be acknowledged before it is recorded. New section 506 resolves a problem of conflicts of law by providing that the law of the place of delivery (within the United States) of an instrument governs the validity of the instrument. Also, section 506 creates a presumption that, when the place of intended delivery is stated in an instrument, the instrument was delivered at that place.

The Agency is implementing amended section 503(e) by deleting the acknowledgment requirement from Parts 47 and 49. In concluding that an acknowledgment is an unnecessary condition for recording, the draftsmen of the Uniform Commercial Code have stated: "This section departs from the requirements of many chattel mortgage statutes that the instrument filed be acknowledged or witnessed or accompanied by affidavits of good faith. Those requirements do not seem to have been successful as a deterrent to fraud; their principal effect has been to penalize good faith mortgagees who have inadvertently failed to comply with the statutory niceties. They are here abandoned in the interest of a simplified and workable filing system." (Comment 3, § 9-402 of the Uniform Commercial Code.) This reasoning applies to the National Aircraft Recording System. In addition, since the lack of an acknowledgment results in the rejection of a substantial number of instruments submitted under Parts 47 and 49, the acknowledgment requirement constitutes an unnecessary burden on the public. Of course, the parties must look to applicable local law to determine whether acknowledgment is required for an instrument to be valid (as opposed to recordable). Accordingly, § 49.13(c) is amended to state that acknowledgment is not required. The conflicts of law rule and presumption of delivery in new section 506 is reflected in amended § 49.17(c).

As a result of the introduction of computers at the FAA Aircraft Registry, it will be possible to issue nearly all Certificates of Aircraft Registration in less than 30 days. FAA Forms 500, 500-2, and 500-3 have been revised for use in computer processing. FAA Form 500-1 (Temporary Certificate of Aircraft Registration) has been abolished. These new forms are FAA Form 8050-1, "Application for Aircraft Registration," FAA Form 8050-2, "Aircraft Bill of Sale" (a suggested use form), and FAA Form 8050-3, "Certificate of Aircraft Registration." As in the past, the applicant would carry a duplicate copy of the Application for Aircraft Registration as temporary operating authority that is valid for no more than 30 days. If for

(Published in the Federal Register [31 F.R. 4494] on March 17, 1966)

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any reason, the FAA Aircraft Registry cannot issue the Certificate of Aircraft Registration within the 30 day period, it will issue a letter of extension. The letter serves as authority to continue to operate the aircraft when it is carried in the aircraft with the copy of the application.

As now written, § 49.33(c) permits the recording of a "certified copy" of a document when neither the original nor a duplicate original is available. In effect, a person who wishes to record a document at the FAA Aircraft Registry in such a situation is forced to first record the instrument under local law, to have a certified copy prepared, and to submit the certified copy to the FAA Aircraft Registry. This is an unnecessary burden. In the light of the sanction of section 1001 of Title 18 of the United States Code, the Agency will accept true copies of documents when the person submitting them attaches his certificate of true copy as provided in § 49.21, and § 49.33(c) is amended to permit this practice.

Other clarifying amendments are adopted. Parts 47 and 49 are amended to use the phrase "evidence of ownership" rather than "proof of ownership," since the Agency issues a certificate on the basis of the "evidence" an applicant submits with his application. In several sections, the applicant is required to submit a "verified instrument." Since this language has resulted in several inquiries as to what is required, these sections are amended to require an "affidavit." On March 13, 1965, the Agency published its Organization Statement in the FEDERAL REGISTER (30 F.R. 3395). Paragraph 5 (c)(2) of Subpart B, "Agency organization," states that the "FAA Aircraft Registry" administers Parts 47 and 49 (30 F.R. 3399). Sections 47.19 and 49.11 are amended to reflect this designation, and to add the post office box number to the address. None of the other editorial and clarifying changes to Part 47 made at this time involves any substantive change. Section 47.69(d)(1) is amended in conformity with outstanding interpretations to clarify that it relates to flight testing of aircraft only.

This amendment relaxes and clarifies existing requirements and does not impose additional burdens on any person. Therefore, the Agency finds that notice and public procedure thereon are not necessary.

In consideration of the foregoing, effective May 1, 1966, Part 47 is revised and Part 49 is amended as hereinafter set forth.

The reporting and recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U.S.C. 139–139f).

Issued in Washington, D.C., on March 10, 1966.

D. D. THOMAS,
Acting Administrator.

I. Part 47 is revised to read as follows:

Subpart A—General

Sec.
47.1 Applicability.
47.3 Registration required.
47.5 Applicants.
47.11 Evidence of ownership.
47.13 Signatures and instruments made by representatives.
47.15 Identification number.
47.17 Fees.
47.19 FAA Aircraft Registry.

Subpart B—Certificates of Aircraft Registration

47.31 Application.
47.33 Aircraft not previously registered anywhere.
47.35 Aircraft last previously registered in the United States.
47.37 Aircraft last previously registered in a foreign country.
47.39 Effective date of registration.
47.41 Duration and return of Certificate.
47.43 Invalid registration.
47.45 Change of address.
47.47 Cancellation of Certificate for export purpose.
47.49 Replacement of Certificate.

Subpart C—Dealers' Aircraft Registration Certificate

47.61 Dealers' Aircraft Registration Certificates.
47.63 Application.
47.65 Eligibility.
47.67 Evidence of ownership.
47.69 Limitations.
47.71 Duration of Certificate; change of status.

AUTHORITY: The provisions of this Part 47 issued under secs. 307(c), 313(a), 501, 503, 505, 506, and 1102 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1401, 1403, 1405, 1406, and 1502, and the Convention of the International Recognition of Rights in Aircraft; 4 U.S.T. 1830.

Subpart A—General

§ 47.1 Applicability.

This part prescribes the requirements for registering aircraft under section 501 of the Federal Aviation Act of 1958 (49 U.S.C. 1401). Subpart B applies to each applicant for, and holder of, a Certificate of Aircraft Registration. Subpart C applies to each applicant for, and holder of, a Dealers' Aircraft Registration Certificate.

§ 47.3 Registration required.

(a) Section 501(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1401(b)) defines eligibility for registration as follows:

(b) An aircraft shall be eligible for registration if, but only if—

(1) It is owned by a citizen of the United States and it is not registered under the laws of any foreign country; or

(2) It is an aircraft of the Federal Government, or of a State, Territory, or possession of the United States, or the District of Columbia, or of a political subdivision thereof.

(b) No person may operate on aircraft that is eligible for registration under section 501 of the Federal Aviation Act of 1958 unless the aircraft—

(1) Has been registered by its owner;

(2) Is carrying aboard the temporary authorization required by § 47.31(b); or

(3) Is an aircraft of the Armed Forces.

(c) Governmental units are those named in paragraph (a) of this section and Puerto Rico.

§ 47.5 Applicants.

(a) A governmental unit or a citizen of the United States that wishes to register an aircraft in the United States must submit an Application for Aircraft Registration under this part.

(b) An aircraft may be registered only by, and in the legal name of, its owner. However, section 501(f) of the Federal Aviation Act of 1958 (49 U.S.C. 1401(f)) states that registration is not evidence of ownership of aircraft in any proceeding in which such ownership by a particular person is in issue. The FAA does not issue any certificate of ownership or endorse any information with respect to ownership on a Certificate of Aircraft Registration. The FAA issues a Certificate of Aircraft Registration to the person who appears to be the owner on the basis of the evidence of ownership submitted with the Application for Aircraft Registration, or recorded at the FAA Aircraft Registry.

(c) In this part, "owner" includes a buyer in possession, a bailee, or a lessee of an aircraft under a contract of conditional sale, and the assignee of that person.

§ 47.11 Evidence of ownership.

Each governmental unit or citizen of the United States that submits an Application for Aircraft Registration under this part must also submit the required evidence of ownership, recordable under §§ 49.13 and 49.17 of this chapter, as follows:

(a) The buyer in possession, the bailee, or the lessee of an aircraft under a contract of conditional sale must submit the contract. The assignee under a contract of conditional sale must submit both the contract (unless it is already recorded at the FAA Aircraft Registry), and his assignment from the original buyer, bailee, lessee, or prior assignee, that bears the written assent of the seller, bailor, lessor, or assignee thereof, under the original contract.

(b) The repossessor of an aircraft must submit—

(1) A certificate of repossession on FAA Form 8050–4, or its equivalent, signed by the applicant and stating that the aircraft was repossessed or otherwise seized under the security agreement involved and applicable local law;

(2) The security agreement (unless it is already recorded at the FAA Aircraft Registry), or a copy thereof certified as true under § 49.21 of this chapter; and

(3) When repossession was through foreclosure proceedings resulting in sale, a bill of sale signed by the sheriff, auctioneer, or other authorized person who conducted the sale, and stating that the sale was made under applicable local law.

(c) The buyer of an aircraft at a judicial sale, or at a sale to satisfy a lien or charge, must submit a bill of sale signed by the sheriff, auctioneer, or other authorized person who conducted the sale, and stating that the sale was made under applicable local law.

(d) The owner of an aircraft, the title to which has been in controversy and has been determined by a court, must submit

a certified copy of the decision of the court.

(e) The executor or administrator of the estate of the deceased former owner of an aircraft must submit a certified copy of the letters testimentary or letters of administration appointing him executor or administrator. The Certificate of Aircraft Registration is issued to the applicant as executor or administrator.

(f) The buyer of an aircraft from the estate of a deceased former owner must submit both a bill of sale, signed for the estate by the executor or administrator, and a certified copy of the letters testimentary or letters of administration. When no executor or administrator has been or is to be appointed, the applicant must submit both a bill of sale, signed by the heir-at-law of the deceased former owner, and an affidavit of the heir-at-law stating that no application for appointment of an executor or administrator has been made, that so far as he can determine none will be made, and that he is the person entitled to, or having the right to dispose of, the aircraft under applicable local law.

(g) The guardian of another person's property that includes an aircraft must submit a certified copy of the order of the court appointing him guardian. The Certificate of Aircraft Registration is issued to the applicant as guardian.

(h) The appointed trustee of property that includes an aircraft must submit either a certified copy of the order of the court appointing him trustee (if appointed by court order), or a copy of the complete trust instrument (if appointed without court order) certified as true under § 49.21 of this chapter. The Certificate of Aircraft Registration is issued to the applicant as trustee.

§ 47.13 Signatures and instruments made by representatives.

(a) Each signature on an Application for Aircraft Registration or on an instrument submitted as evidence of ownership must be in ink.

(b) When one or more persons doing business under a trade name submits an Application for Aircraft Registration or a request for cancellation of a Certificate of Aircraft Registration, the application or request must be signed by, or in behalf of, each person who shares title to the aircraft.

(c) When an agent submits an Application for Aircraft Registration or a request for cancellation of a Certificate of Aircraft Registration in behalf of the owner, he must—

(1) State the name of the owner on the application or request;

(2) Sign as agent or attorney-in-fact on the application or request; and

(3) Submit a signed power of attorney, or a true copy thereof certified under § 49.21 of this chapter, with the application or request.

(d) When a corporation submits an Application for Aircraft Registration or a request for cancellation of a Certificate of Aircraft Registration, it must—

(1) Have an authorized person sign the application or request;

(2) Show the title of the signer's office on the application or request; and

(3) Submit a copy of the authorization from the board of directors to sign for the corporation, certified as true under § 49.21 of this chapter by the president, vice president, secretary, or treasurer, with the application or request, unless—

(i) The signer is the president, vice president, secretary, or treasurer; or

(ii) A valid authorization to sign is on file at the FAA Aircraft Registry.

(e) When a partnership submits an Application for Aircraft Registration or a request for cancellation of a Certificate of Aircraft Registration, it must—

(1) State the full name of the partnership on the application or request;

(2) State the name of each general partner on the application or request; and

(3) Insert the word "partner" after the signature of the person who signs the application or request.

(f) When coowners, who are not engaged in business as partners, submit an Application for Aircraft Registration or a request for cancellation of a Certificate of Aircraft Registration, each person who shares title to the aircraft under the arrangement must sign the application or request.

(g) A power of attorney, or other evidence of a person's authority to sign for another, that is submitted under this part, is valid for the purposes of this section for not more than 2 years after the date it is signed. However, any instrument submitted before August 18, 1964, is considered to be valid until August 18, 1966.

§ 47.15 Identification number.

(a) A governmental unit or a citizen of the United States that wishes to register an aircraft must obtain the identification number ("registration mark") and place it on the Application for Aircraft Registration, FAA Form 8050-1, and the Aircraft Bill of Sale, FAA Form 8050-2. The identification number assigned to an aircraft remains with it unless the owner obtains a different number under paragraphs (d) through (g) of this section. If the aircraft was not last previously registered in a foreign country, the applicant must obtain the identification number from the nearest FAA District Office. However, if he applies for a group of identification numbers as an aircraft manufacturer or for a special identification number, under paragraphs (c) through (g) of this section, or if the aircraft was last previously registered in a foreign country, the applicant must obtain the identification number from the FAA Aircraft Registry. A U.S. identification number is assigned only after the foreign registration has been canceled or is found to be invalid by the FAA Aircraft Registry. There is no charge for this assignment of numbers.

(b) A U.S. identification number may not exceed five symbols in addition to the prefix letter "N". These symbols may be all numbers (N10000), one to four numbers and one suffix letter (N 1000A), or one to three numbers and two suffix letters (N 100AB). If the FAA has assigned one to three numbers and one suffix letter (N 100A), then the same number with a second suffix number (N 100AB) is not assigned at the same time. However, the holder of a Certificate of Aircraft Registration may apply to the FAA Aircraft Registry for permission to add a second suffix letter to the one to three numbers and one suffix letter already assigned. There is no charge for this change of number.

(c) An aircraft manufacturer may apply to the FAA Aircraft Registry for enough U.S. identification numbers to supply his estimated production for the next 18 months. There is no charge for this assignment of numbers.

(d) Any unassigned U.S. identification number may be assigned as a special identification number. However, each U.S. identification number of one to three symbols is reserved for an FAA owned aircraft, or for an aircraft that cannot accommodate a larger number. An applicant who wants a special identification number or who wants to change the identification number of his aircraft may apply for them to the FAA Aircraft Registry. The fee required by § 47.17 must accompany the application.

(e) An applicant for a one to three symbol U.S. identification number must submit with his application a statement of an FAA inspector that the structural configuration or design of the aircraft prevents the placing of a number of more than three symbols on the fuselage or vertical tail surface.

(f) The FAA Aircraft Registry assigns a special identification number on FAA Form 3475. Within 5 days after he affixes it to his aircraft, the owner must complete and sign the receipt contained in FAA Form 3475, state the date he affixed the special identification number to his aircraft, and return the original form to the FAA Aircraft Registry. The FAA then issues a revised Certificate of Aircraft Registration and an airworthiness certificate showing the special identification number. The owner shall carry the duplicate of FAA Form 3475 and the present Certificate of Aircraft Registration in the aircraft as temporary authority to operate it. This temporary authority is valid until the date the owner receives the revised Certificate of Aircraft Registration and airworthiness certificate.

(g) The owner of an aircraft need not surrender a one to three symbol identification number that was assigned to his aircraft before August 18, 1964. Before selling that aircraft, the owner may apply to the FAA Aircraft Registry for reassignment of that number to another aircraft he owns, or for the reservation of that number for later assignment. The fee required by § 47.17 for a reassigned or reserved identification number must accompany the application. At the same time, the owner must apply to the FAA Aircraft Registry for a new identification number for the aircraft he is selling. The fee required by § 47.17 for a special identification number must accompany the application.

(h) A special identification number may be reserved for no more than 1 year. If a person wishes to renew his reservation from year to year, he must apply to the FAA Aircraft Registry for renewal and submit the fee required by § 47.17 for a special identification number.

§ 47.17 Fees.

(a) The fees for applications under this Part are as follows:

(1) Certificate of Aircraft Registration (each aircraft)	$5.00
(2) Dealer's Aircraft Registration Certificate	$10.00
(3) Additional Dealer's Aircraft Registration Certificate (issued to same dealer)	$2.00
(4) Special identification number (each number)	$10.00
(5) Changed, reassigned, or reserved identification number	$10.00
(6) Duplicate Certificate of Registration	$2.00

(b) Each application must be accompanied by the proper fee, that may be paid by check or money order to the Federal Aviation Agency.

§ 47.19 FAA Aircraft Registry.

Except as provided in § 47.15(a), each application, request, notification, or other communication sent to the FAA under this part must be mailed or delivered to the FAA Aircraft Registry, Post Office Box 1082, Oklahoma City, Okla., 73101.

Subpart B—Certificates of Aircraft Registration

§ 47.31 Application.

(a) Each applicant for a Certificate of Aircraft Registration must submit the following to the FAA Aircraft Registry—

(1) The original (white) and one copy (green) of the Application for Aircraft Registration, FAA Form 8050–1;

(2) The original Aircraft Bill of Sale, FAA Form 8050–2, or other evidence of ownership authorized by § 47.33, 47.35, or 47.37 (unless already recorded at the FAA Aircraft Registry); and

(3) The fee required by § 47.17.

The FAA rejects an application when any form is not completed, or when the name and signature of the applicant are not the same throughout.

(b) After he complies with paragraph (a) of this section, the applicant shall carry the second duplicate copy (pink) of the Application for Aircraft Registration, FAA Form 8050–1, in the aircraft as temporary authority to operate it. This temporary authority is valid until the date the applicant receives the Certificate of Aircraft Registration, FAA Form 8050–3, or until the date the FAA denies the application, but in no case for more than 30 days after the date the applicant signs the application. If by 30 days after the application is signed, the FAA has neither issued the Certificate of Aircraft Registration nor denied the application, the FAA Aircraft Registry issues a letter of extension that serves as authority to continue to operate the aircraft while it is carried in the aircraft. This paragraph does not apply to an application under § 47.37 for registration of an aircraft last previously registered in a foreign country.

§ 47.33 Aircraft not previously registered anywhere.

(a) A citizen of the United States who is the owner of an aircraft that has not been registered under the Federal Aviation Act of 1958, under other law of the United States, or under foreign law, may register it under this part if he—

(1) Complies with §§ 47.11, 47.13, 47.15, and 47.17; and

(2) Submits with his application an Aircraft Bill of Sale, FAA Form 8050–2, signed by the seller, an equivalent bill of sale, or other evidence of ownership authorized by § 47.11.

(b) If, for good reason, the applicant cannot produce the evidence of ownership required by paragraph (a) of this section, he must submit other evidence that is satisfactory to the Administrator. This other evidence may be an affidavit stating why he cannot produce the required evidence, accompanied by whatever further evidence is available to prove the transaction.

(c) The owner of an amateur-built aircraft who applies for registration under paragraphs (a) and (b) of this section must describe the aircraft by class (airplane, rotocraft, glider, or balloon), serial number, number of seats, type of engine installed (reciprocating, turbopropeller, turbojet, or other), number of engines installed, and make, model, and serial number of each engine installed; and must state whether the aircraft is built for land or water operation. Also, he must submit as evidence of ownership an affidavit giving the U.S. identification number, and stating that the aircraft was built from parts and that he is the owner. If he built the aircraft from a kit, the applicant must also submit a bill of sale from the manufacturer of the kit.

(d) The owner, other than the holder of the type certificate, of an aircraft that he assembles from parts to conform to the approved type design, must describe the aircraft and engine in the manner required by paragraph (c) of this section, and also submit evidence of ownership satisfactory to the Administrator, such as bills of sale, for all major components of the aircraft.

§ 47.35 Aircraft last previously registered in the United States.

(a) A citizen of the United States who is the owner of an aircraft last previously registered under the Federal Aviation Act of 1958, or under other law of the United States, may register it under this part if he complies with §§ 47.11, 47.13, 47.15, and 47.17, and submits with his application an Aircraft Bill of Sale, FAA Form 8050–2, signed by the seller or an equivalent conveyance, or other evidence of ownership authorized by § 47.11:

(1) If the applicant bought the aircraft from the last registered owner, the conveyance must be from that owner to the applicant.

(2) If the applicant did not buy the aircraft from the last registered owner, he must submit conveyances or other instruments showing consecutive transactions from the last registered owner through each intervening owner to the applicant.

(b) If, for good reason, the applicant cannot produce the evidence of ownership required by paragraph (a) of this section, he must submit other evidence that is satisfactory to the Administrator. This other evidence may be an affidavit stating why he cannot produce the required evidence, accompanied by whatever further evidence is available to prove the transaction.

§ 47.37 Aircraft last previously registered in a foreign country.

(a) A citizen of the United States who is the owner of an aircraft last previously registered under the law of a foreign country may register it under this part if he—

(1) Complies with §§ 47.11, 47.13, 47.15, and 47.17;

(2) Submits with his application a bill of sale from the foreign seller or other evidence satisfactory to the Administrator that he owns the aircraft: and

(3) Submits evidence satisfactory to the Administrator that—

(i) If the country in which the aircraft was registered has not ratified the Convention on the International Recognition of Rights in Aircraft (4 U.S.T. 1830), the foreign registration has ended or is invalid; or

(ii) If that country has ratified the convention, the foreign registration has ended or is invalid, and each holder of a recorded right against the aircraft has been satisfied or has consented to the transfer, or ownership in the country of export has been ended by a sale in execution under the terms of the convention.

(b) For the purposes of paragraph (a)(3) of this section, satisfactory evidence of termination of the foreign registration may be—

(1) A statement, by the official having jurisdiction over the national aircraft registry of the foreign country, that the registration has ended or is invalid, and showing that official's name and title and describing the aircraft by make, model, and serial number; or

(2) A final judgment or decree of a court of competent jurisdiction that determines, under the law of the country concerned, that the registration has in fact become invalid.

§ 47.39 *Effective date of registration.*

(a) Except for an aircraft last previously registered in a foreign country, an aircraft is registered under this subpart on the date and at the time the FAA Aircraft Registry receives the documents required by § 47.33 or 47.35.

(b) An aircraft last previously registered in a foreign country is registered under this subpart on the date and at the time the FAA Aircraft Registry issues the Certificate of Aircraft Registration, FAA Form 8050–3, after the docu-

ments required by § 47.37 have been received and examined.

§ 47.41 Duration and return of Certificate.

(a) Each Certificate of Aircraft Registration issued by the FAA under this subpart is effective, unless suspended or revoked, until the date upon which—

(1) Subject to the Convention on the International Recognition of Rights in Aircraft when applicable, the aircraft is registered under the laws of a foreign country;

(2) The registration is canceled at the written request of the holder of the certificate;

(3) The aircraft is totally destroyed or scrapped;

(4) Ownership of the aircraft is transferred;

(5) The holder of the certificate loses his U.S. citizenship; or

(6) 30 days have elapsed since the death of the holder of the certificate.

(b) The Certificate of Aircraft Registration, with the reverse side completed, must be returned to the FAA Aircraft Registry—

(1) In case of registration under the laws of a foreign country, by the person who was the owner of the aircraft before foreign registration;

(2) Within 60 days after the death of the holder of the certificate, by the administrator or executor of his estate, or by his heir-at-law if no administrator or executor has been or is to be appointed; or

(3) Upon the termination of the registration, by the holder of the Certificate of mentioned in paragraph (a) of this section.

§ 47.43 Invalid registration.

(a) The registration of an aircraft is invalid if, at the time it is made—

(1) The aircraft is registered in a foreign country;

(2) The applicant is not the owner;

(3) The applicant is not a citizen of the United States; or

(4) The applicant is a citizen of the United States, but his interest in the aircraft was created by a transaction that was not entered into in good faith and was made to avoid (with or without the owner's knowledge) compliance with section 501 of the Federal Aviation Act of 1958 (49 U.S.C. 1401), that prevents registration of an aircraft owned by a person who is not a citizen of the United Aircraft Registration in all other cases States.

(b) If the registration of an aircraft is invalid under paragraph (a) of this section, the holder of the invalid Certificate of Aircraft Registration shall return it as soon as possible to the FAA Aircraft Registry.

§ 47.45 Change of address.

Within 30 days after any change in his permanent mailing address, the holder of a Certificate of Aircraft Registration for an aircraft shall notify the FAA Aircraft Registry of his new address. A revised Certificate of Aircraft Registration is then issued, without charge.

§ 47.47 Cancellation of Certificate for export purpose.

(a) The holder of a Certificate of Aircraft Registration who wishes to cancel the certificate for the purpose of export must submit the following to the FAA Aircraft Registry—

(1) A written request for cancellation of the certificate describing the aircraft by make, model, and serial number, stating the U.S. identification number and the country to which the aircraft will be exported; and

(2) When the aircraft is under a contract of conditional sale, the written consent of the seller, bailor, or lessor under the contract.

(b) The FAA notifies the country to which the aircraft will be exported of the cancellation by ordinary mail, or by airmail at the owner's request. The transmission of this notice by means other than ordinary mail or airmail must be arranged and paid for by the owner.

§ 47.49 Replacement of Certificate.

(a) If a Certificate of Aircraft Registration is lost, stolen, or mutilated, the holder of the Certificate of Aircraft Registration may apply to the FAA Aircraft Registry for a duplicate certificate, accompanying his application with the fee required by § 47.17.

(b) If the holder has applied and has paid the fee for a duplicate Certificate of Aircraft Registration and needs to operate his aircraft before receiving it, he may request a temporary certificate. The FAA Aircraft Registry issues a temporary certificate, by a collect telegram, to be carried in the aircraft. This temporary certificate is valid until he receives the duplicate Certificate of Aircraft Registration.

Subpart C—Dealers' Aircraft Registration Certificate

§ 47.61 Dealers' Aircraft Registration Certificates.

(a) The FAA issues a Dealer's Aircraft Registration Certificate, FAA Form 8050–6, to manufacturers and dealers so as to—

(1) Allow manufacturers to make required production flight checks; and

(2) Facilitate operating, demonstrating, and merchandising aircraft by the manufacturer or dealer without the burden of obtaining a Certificate of Aircraft Registration for each aircraft with each transfer of ownership, under Subpart B of this part.

(b) A Dealer's Aircraft Registration Certificate is an alternative for the Certificate of Aircraft Registration issued under Subpart B of this part. A dealer may, under this subpart, obtain one or more Dealers' Aircraft Registration Certificates in addition to his original certificate, and he may use a Dealer's Aircraft Registration Certificate for any aircraft he owns.

§ 47.63 Application.

A manufacturer or dealer that wishes to obtain a Dealer's Aircraft Registration Certificate, FAA Form 8050–6, must submit—

(a) An Application for Dealers' Aircraft Registration Certificates, FAA Form 8050–5; and

(b) The fee required by § 47.17.

§ 47.65 Eligibility.

To be eligible for a Dealer's Aircraft Registration Certificate, a person must have an established place of business in the United States and must be substantially engaged in manufacturing or selling aircraft.

§ 47.67 Evidence of ownership.

Before using his Dealer's Aircraft Registration Certificate for operating an aircraft, the holder of the certificate (other than a manufacturer) must send to the FAA Aircraft Registry evidence satisfactory to the Administrator that he is the owner of that aircraft. An Aircraft Bill of Sale, or its equivalent, may be used as evidence of ownership. There is no recording fee.

§ 47.69 Limitations.

A Dealer's Aircraft Registration Certificate is valid only in connection with use of aircraft—

(a) By the owner of the aircraft to whom it was issued, his agent or employee, or a prospective buyer, and in the case of a dealer other than a manufacturer, only after he has complied with § 47.67;

(b) Within the United States;

(c) While a certificate is carried within the aircraft; and

(d) On a flight that is—

(1) For required flight testing of aircraft; or

(2) Necessary for, or incident to, sale of the aircraft. However, a prospective buyer may operate an aircraft for demonstration purposes only while he is under the direct supervision of the holder of the Dealer's Aircraft Registration Certificate or his agent.

§ 47.71 Duration of Certificate; change of status.

(a) A Dealer's Aircraft Registration Certificate expires 1 year after the date it is issued. Each additional certificate expires on the date the original certificate expires.

(b) The holder of a Dealer's Aircraft Registration Certificate shall immediately notify the FAA Aircraft Registry of any of the following—

(1) A change of his name;

(2) A change of his address;

(3) A change that affects his status as a citizen of the United States; or

(4) The discontinuance of his business.

II. Part 49 is amended as follows:

1. Section 49.11 is amended to read as follows:

§ 49.11 FAA Aircraft Registry.

To be eligible for recording, a conveyance must be mailed or delivered to the FAA Aircraft Registry, Post Office Box 1082, Oklahoma City, Okla., 73101.

2. Section 49.13 is amended to read as follows:

§ 49.13 Signatures and acknowledgments.

(a) Each signature on a conveyance must be in ink.

(b) Paragraphs (b) through (f) of § 47.13 of this chapter apply to a conveyance made by, or on behalf of, one or more persons doing business under a trade name, or by an agent, corporation, partnership, coowner, or unincorporated association.

(c) No conveyance or other instrument need be acknowledged, as provided in section 503(e) of the Federal Aviation Act of 1958 (49 U.S.C. 1403(e)), in order to be recorded under this part. The law of the place of delivery of the conveyance determines when a conveyance or other instrument must be acknowledged in order to be valid for the purposes of that place.

(d) A power of attorney, or other evidence of a person's authority to sign for another, that is submitted under this part, is valid for the purposes of this section for not more than 2 years after the date it is signed. However, any instrument submitted before August 18, 1964, is considered to be valid until August 18, 1966.

3. Section 49.15(b) is amended by striking out the words "application for registration" and inserting the words "Application for Aircraft Registration" in place thereof.

4. Section 49.17 is amended as follows:

a. Paragraphs (b) and (c) are amended to read as follows:

(b) The kinds of conveyance recordable under this part include those used as evidence of ownership under § 47.11 of this chapter.

(c) The validity of any instrument, eligible for recording under this part, is governed by the laws of the State, possession, Puerto Rico, or District of Columbia, as the case may be, in which the instrument was delivered, regardless of the location or place of delivery of the property affected by the instrument. If the place where an instrument is intended to be delivered is stated in the instrument, it is presumed that the instrument was delivered at that place. The recording of a conveyance is not a decision of the FAA that the instrument does, in fact, affect title to, or an interest in, the aircraft or other property it covers.

b. Paragraphs (d) (1), (2), (3), and (e)(3) are amended by striking out the words "and acknowledged" wherever they appear.

c. Paragraph (e)(1) is amended to read as follows:

(1) A chattel mortgage must be signed by the mortgagor. If he is not the registered owner of the aircraft, the chattel mortgage must be accompanied by his Application for Aircraft Registration and evidence of ownership, as prescribed in Part 47 of this chapter, unless—

(i) He holds a Dealer's Aircraft Registration Certificate and he submits evidence of ownership as provided in § 47.67 of this chapter (if applicable);

(ii) He was the owner of the aircraft on the date the mortgage was signed, as shown by documents recorded at the FAA Aircraft Registry; or

(iii) He is the vendor, bailor, or lessor under a contract of conditional sale.

5. Section 49.21 is amended by striking out the words "signatures, and acknowledgments" and inserting the words "and signatures" in place thereof.

6. Section 49.33 is amended as follows:

a. Paragraph (b) is amended by striking out the words "FAA" and inserting the words "United States" in place thereof.

b. Paragraph (c) is amended to read as follows:

(c) It is an original document, or a duplicate original document, or if neither the original nor a duplicate original of a document is available, a true copy of an original document, certified under § 49.21;

7. Section 49.55(a) is amended by striking out the word "acknowledged" and inserting the word "signed" in place thereof.

(Secs. 307(c), 313(a), 501, 503, 505, 506, and 1102 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1401, 1403, 1405, 1406, and 1502, and the Convention on the International Recognition of Rights in Aircraft; 4 U.S.T. 1830)

[Docket No. 7190; Amdt. 49-1]

PART 47—AIRCRAFT REGISTRATION

Miscellaneous Amendments

Correction

In F.R. Doc. 66-2802 appearing at page 4494 in the issue for Thursday, March 17, 1966, the following corrections are made.

In the fifth line of § 47.33(c), the word which now reads "rotocraft" is corrected to read "rotorcraft".

Section 47.41(b)(3) is corrected to read: "(3) Upon the termination of the registration, by the holder of the Certificate of Aircraft Registration in all other cases mentioned in paragraph (a) of this section."

In § 47.43(a)(4), the penultimate line is deleted.