

Aviation Group Client Update

Date: May 21, 2012

Contact: Lisa A. Harig, Partner
Washington DC Office
lharg@mklawdc.com
+1 703 247 5487

FAA PROPOSES AMENDMENTS TO REPAIR STATION REGULATIONS

Today, the FAA proposed to amend repair station regulations by revising the system of ratings, repair station certification requirements, and regulations on repair stations providing maintenance for air carriers. According to the FAA, the amendments would modernize the regulations to keep pace with current industry standards and practices.

Under the proposal, the system of ratings would be reduced from eight (8) to five (5) ratings and the ratings definitions would be revised to indicate the type of work the repair station is authorized to perform. FAA also proposed to revise recording requirements for repair stations that choose to use a capability list, a potential marked change for repair stations with class ratings that do not have a capability list of items maintained.

With regard to certification requirements, FAA proposed it could deny an application for a repair station certificate if the applicant previously held a repair station certificate that was revoked or if the applicant or certain key individuals who would exercise control over the new repair station materially contributed to circumstances that resulted in a prior repair station certificate revocation action. If the FAA were to deny a certificate under the proposed rule, the affected person could appeal under the procedures provided in 14 CFR Part 13. The FAA also proposed to clarify the certification requirements on equipment, personnel, technical data, and housing facilities required to be in place for inspection at the time of certification or rating approval. If a repair station chooses to meet these requirements by contract, the FAA proposed the contract only apply to ownership and not the demonstration phase of certification. If a repair station does not permanently possess the required items, it must be able to demonstrate that it has made arrangements to provide such items whenever needed to perform work, and must display these items and all associated lease agreements during certification.

For repair stations providing maintenance to air carriers, the FAA proposed that repair stations must perform work in accordance with the maintenance instructions provided by the air carrier or air operator. In addition, line maintenance will be authorized as a limitation to an airframe rating and the regulations regarding line maintenance authorizations will be deleted. Other proposed changes include a new applicability statement, avionics definition, prohibition against falsification of repair station records, and others.

Comments are due on or before **August 20, 2012**. If you have any questions regarding the proposed amendments or require assistance preparing or submitting comments, please contact our office.

* * * * *

McBreen & Kopko's Aviation Group represents air carriers, fixed base operators (FBOs), airport managers, aviation service providers, and business aircraft owners and operators on a wide range of aviation issues including regulatory matters, commercial transactions, aircraft finance matters, and bankruptcy and creditors' rights.