

Federal Aviation Administration, DOT

§ 3.5

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §1.2, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

SOURCE: 70 FR 54832, Sept. 16, 2005, unless otherwise noted.

EFFECTIVE DATE NOTE: At 71 FR 63426, Oct. 30, 2006, §1.2 was amended by adding new abbreviations in alphabetical order, effective Oct. 30, 2007. For the convenience of the user, the added text is set forth as follows:

§ 1.2 Abbreviations and symbols.

\* \* \* \* \*

FFS means full flight simulator.

\* \* \* \* \*

FSTD means flight simulation training device.

FTD means flight training device.

\* \* \* \* \*

§ 1.3 Rules of construction.

(a) In Subchapters A through K of this chapter, unless the context requires otherwise:

- (1) Words importing the singular include the plural;
(2) Words importing the plural include the singular; and
(3) Words importing the masculine gender include the feminine.

(b) In Subchapters A through K of this chapter, the word:

- (1) Shall is used in an imperative sense;
(2) May is used in a permissive sense to state authority or permission to do the act prescribed, and the words "no person may \* \* \*" or "a person may not \* \* \*" mean that no person is required, authorized, or permitted to do the act prescribed; and
(3) Includes means "includes but is not limited to".

[Doc. No. 1150, 27 FR 4590, May 15, 1962, as amended by Amdt. 1-10, 31 FR 5055, Mar. 29, 1966]

PART 3—GENERAL REQUIREMENTS

Sec.

3.1 Applicability.

3.5 Statements about products, parts, appliances and materials.

AUTHORITY: 49 U.S.C. 106(g), 40113, 44701, and 44704.

§ 3.1 Applicability.

(a) This part applies to any person who makes a record regarding:

- (1) A type-certificated product, or
(2) A product, part, appliance or material that may be used on a type-certificated product.

(b) Section 3.5(b) does not apply to records made under part 43 of this chapter.

§ 3.5 Statements about products, parts, appliances and materials.

(a) Definitions. The following terms will have the stated meanings when used in this section:

Airworthy means the aircraft conforms to its type design and is in a condition for safe operation.

Product means an aircraft, aircraft engine, or aircraft propeller.

Record means any writing, drawing, map, recording, tape, film, photograph or other documentary material by which information is preserved or conveyed in any format, including, but not limited to, paper, microfilm, identification plates, stamped marks, bar codes or electronic format, and can either be separate from, attached to or inscribed on any product, part, appliance or material.

(b) Prohibition against fraudulent and intentionally false statements. When conveying information related to an advertisement or sales transaction, no person may make or cause to be made:

(1) Any fraudulent or intentionally false statement in any record about the airworthiness of a type-certificated product, or the acceptability of any product, part, appliance, or material for installation on a type-certificated product.

(2) Any fraudulent or intentionally false reproduction or alteration of any record about the airworthiness of any type-certificated product, or the acceptability of any product, part, appliance, or material for installation on a type-certificated product.

(c) Prohibition against intentionally misleading statements. (1) When conveying information related to an advertisement or sales transaction, no person may make, or cause to be made, a