

**§ 135.437**

direct each worker constantly but must be available for consultation and decision on matters requiring instruction or decision from higher authority than that of the person performing the work.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-82, 66 FR 41117, Aug. 6, 2001]

**§ 135.437 Authority to perform and approve maintenance, preventive maintenance, and alterations.**

(a) A certificate holder may perform or make arrangements with other persons to perform maintenance, preventive maintenance, and alterations as provided in its maintenance manual. In addition, a certificate holder may perform these functions for another certificate holder as provided in the maintenance manual of the other certificate holder.

(b) A certificate holder may approve any airframe, aircraft engine, propeller, rotor, or appliance for return to service after maintenance, preventive maintenance, or alterations that are performed under paragraph (a) of this section. However, in the case of a major repair or alteration, the work must have been done in accordance with technical data approved by the Administrator.

**§ 135.439 Maintenance recording requirements.**

(a) Each certificate holder shall keep (using the system specified in the manual required in §135.427) the following records for the periods specified in paragraph (b) of this section:

(1) All the records necessary to show that all requirements for the issuance of an airworthiness release under §135.443 have been met.

(2) Records containing the following information:

(i) The total time in service of the airframe, engine, propeller, and rotor.

(ii) The current status of life-limited parts of each airframe, engine, propeller, rotor, and appliance.

(iii) The time since last overhaul of each item installed on the aircraft which are required to be overhauled on a specified time basis.

(iv) The identification of the current inspection status of the aircraft, in-

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cluding the time since the last inspections required by the inspection program under which the aircraft and its appliances are maintained.

(v) The current status of applicable airworthiness directives, including the date and methods of compliance, and, if the airworthiness directive involves recurring action, the time and date when the next action is required.

(vi) A list of current major alterations and repairs to each airframe, engine, propeller, rotor, and appliance.

(b) Each certificate holder shall retain the records required to be kept by this section for the following periods:

(1) Except for the records of the last complete overhaul of each airframe, engine, propeller, rotor, and appliance the records specified in paragraph (a)(1) of this section shall be retained until the work is repeated or superseded by other work or for one year after the work is performed.

(2) The records of the last complete overhaul of each airframe, engine, propeller, rotor, and appliance shall be retained until the work is superseded by work of equivalent scope and detail.

(3) The records specified in paragraph (a)(2) of this section shall be retained and transferred with the aircraft at the time the aircraft is sold.

(c) The certificate holder shall make all maintenance records required to be kept by this section available for inspection by the Administrator or any representative of the National Transportation Safety Board.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978; 43 FR 49975, Oct. 26, 1978]

**§ 135.441 Transfer of maintenance records.**

Each certificate holder who sells a United States registered aircraft shall transfer to the purchaser, at the time of the sale, the following records of that aircraft, in plain language form or in coded form which provides for the preservation and retrieval of information in a manner acceptable to the Administrator:

(a) The records specified in §135.439(a)(2).

(b) The records specified in §135.439(a)(1) which are not included in the records covered by paragraph (a) of this section, except that the purchaser

may allow the seller to keep physical custody of such records. However, custody of records by the seller does not relieve the purchaser of its responsibility under §135.439(c) to make the records available for inspection by the Administrator or any representative of the National Transportation Safety Board.

**§ 135.443 Airworthiness release or aircraft maintenance log entry.**

(a) No certificate holder may operate an aircraft after maintenance, preventive maintenance, or alterations are performed on the aircraft unless the certificate holder prepares, or causes the person with whom the certificate holder arranges for the performance of the maintenance, preventive maintenance, or alterations, to prepare—

(1) An airworthiness release; or

(2) An appropriate entry in the aircraft maintenance log.

(b) The airworthiness release or log entry required by paragraph (a) of this section must—

(1) Be prepared in accordance with the procedure in the certificate holder's manual;

(2) Include a certification that—

(i) The work was performed in accordance with the requirements of the certificate holder's manual;

(ii) All items required to be inspected were inspected by an authorized person who determined that the work was satisfactorily completed;

(iii) No known condition exists that would make the aircraft unairworthy; and

(iv) So far as the work performed is concerned, the aircraft is in condition for safe operation; and

(3) Be signed by an authorized certificated mechanic or repairman, except that a certificated repairman may sign the release or entry only for the work for which that person is employed and for which that person is certificated.

(c) Notwithstanding paragraph (b)(3) of this section, after maintenance, preventive maintenance, or alterations performed by a repair station located outside the United States, the airworthiness release or log entry required by paragraph (a) of this section may be signed by a person authorized by that repair station.

(d) Instead of restating each of the conditions of the certification required by paragraph (b) of this section, the certificate holder may state in its manual that the signature of an authorized certificated mechanic or repairman constitutes that certification.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-29, 53 FR 47375, Nov. 22, 1988; Amdt. 135-82, 66 FR 41117, Aug. 6, 2001]

**Subpart K—Hazardous Materials Training Program**

SOURCE: Doc. No. FAA-2003-15085, 70 FR 58829, Oct. 7, 2005, unless otherwise noted.

**§ 135.501 Applicability and definitions.**

(a) This subpart prescribes the requirements applicable to each certificate holder for training each crewmember and person performing or directly supervising any of the following job functions involving any item for transport on board an aircraft:

(1) Acceptance;

(2) Rejection;

(3) Handling;

(4) Storage incidental to transport;

(5) Packaging of company material;

or

(6) Loading.

(b) *Definitions.* For purposes of this subpart, the following definitions apply:

(1) *Company material (COMAT)*—Material owned or used by a certificate holder.

(2) *Initial hazardous materials training*—The basic training required for each newly hired person, or each person changing job functions, who performs or directly supervises any of the job functions specified in paragraph (a) of this section.

(3) *Recurrent hazardous materials training*—The training required every 24 months for each person who has satisfactorily completed the certificate holder's approved initial hazardous materials training program and performs or directly supervises any of the job functions specified in paragraph (a) of this section.