

ii. Normal category before July 19, 1970, and meets the additional airworthiness standards in SFAR No. 23 of 14 CFR part 23.

iii. Normal category, and complies with the additional airworthiness standards in appendix A of part 135 of this chapter.

iv. Normal category, and complies with section 1.(a) or 1.(b) of SFAR No. 41 of 14 CFR part 21.

b. After March 20, 1997, each airplane:

i. Type certificated prior to March 29, 1995, in the commuter category.

ii. Manufactured on or after March 20, 1997, and that was type certificated in the normal category, and complies with the requirements described in paragraphs 1.a.i through iii of this appendix.

2. *Background.* Sections 121.157 and 121.173(b) require that the airplanes operated under this part and described in paragraph 1 of this appendix, comply with the Airplane Performance Operating Limitations in §§121.189 through 121.197. Airplanes described in §121.157(f) and paragraph 1.a of this appendix must comply on and after December 20, 2010. Airplanes described in §121.157(e) and paragraph 1.b of this appendix must comply on and after March 20, 1997. (Airplanes type certificated in the normal category, and in accordance with SFAR No. 41 of 14 CFR part 21, as described in paragraph 1.a.iv of this appendix, may not be produced after October 17, 1991.)

3. *References.* Unless otherwise specified, references in this appendix to sections of part 23 of this chapter are to those sections of 14 CFR part 23, as amended by Amendment No. 23–45 (August 6, 1993, 58 FR 42156).

Performance

4. *Interim Airplane Performance Operating Limitations.*

a. Until December 20, 2010, airplanes described in paragraph 1.a of this appendix may continue to comply with the requirements in subpart I of part 135 and §135.181(a)(2) of this chapter that apply to small, nontransport category airplanes.

b. Until March 20, 1997, airplanes described in paragraph 1.b.i of this appendix may continue to comply with the requirements in subpart I of part 135 of this chapter that apply to commuter category airplanes.

5. *Final Airplane Performance Operating Limitations.*

a. Through an amended type certification program or a supplemental type certification program, each airplane described in paragraph 1.a and 1.b.ii of this appendix must be shown to comply with the commuter category performance requirements specified in this appendix, which are included in part 23 of this chapter. Each new revision to a current airplane performance operating limitation for an airplane that is or has been demonstrated to comply, must also be approved

by the Administrator. An airplane approved to the requirements of section 1.(b) of SFAR No. 41 of 14 CFR part 21, as described in paragraph 1.a.iv of this appendix, and that has been demonstrated to comply with the additional requirements of section 4.(c) of SFAR No. 41 of 14 CFR part 21 and International Civil Aviation Organization Annex 8 (available from the FAA, 800 Independence Avenue SW., Washington, DC 20591), will be considered to be in compliance with the commuter category performance requirements.

b. Each turbopropeller powered airplane subject to this appendix must be demonstrated to comply with the airplane performance operating limitation requirements of this chapter specified as follows:

i. Section 23.45 Performance General.

ii. Section 23.51 Takeoff.

iii. Section 23.53 Takeoff speeds.

iv. Section 23.55 Accelerate stop distance.

v. Section 23.57 Takeoff path.

vi. Section 23.59 Takeoff distance and take-off run.

vii. Section 23.61 Takeoff flight path.

viii. Section 23.65 Climb: All engines operating.

ix. Section 23.67 Climb: one engine inoperative.

x. Section 23.75 Landing.

xi. Section 23.77 Balked landing.

xii. Sections 23.1581 through 23.1589 Airplane flight manual and approved manual material.

6. *Operation.* After compliance with the final airplane performance operating limitations requirements has been demonstrated and added to the Airplane Flight Manual performance data of the affected airplane, that airplane must be operated in accordance with the performance limitations of §§121.189 through 121.197.

[Doc. No. 28154, 60 FR 65936, Dec. 20, 1995, as amended by Doc. No. OST–2002–13435]

APPENDIX L TO PART 121—TYPE CERTIFICATION REGULATIONS MADE PREVIOUSLY EFFECTIVE

Appendix L lists regulations in this part that require compliance with standards contained in superseded type certification regulations that continue to apply to certain transport category airplanes. The tables set out citations to current CFR section, applicable aircraft, superseded type certification regulation and applicable time periods, and the CFR edition and FEDERAL REGISTER documents where the regulation having prior effect is found. Copies of all superseded regulations may be obtained at the Federal Aviation Administration Law Library, Room 924, 800 Independence Avenue SW., Washington, DC.

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Part 121 section	Applicable aircraft	Provisions: CFR/FR references
§ 121.312(a)(1)(i)	Transport category; or nontransport category type certificated before January 1, 1965; passenger capacity of 20 or more; manufactured prior to August 20, 1990.	Heat release rate testing. 14 CFR 25.853(d) in effect March 6, 1995; 14 CFR parts 1 to 59, Revised as of January 1, 1995, and amended by Amdt 25-83, 60 FR 6623, February 2, 1995. Formerly 14 CFR 25.853(a-1) in effect August 20, 1986; 14 CFR parts 1 to 59, Revised as of January 1, 1986.
§ 121.312(a)(1)(ii)	Transport category; or nontransport category type certificated before January 1, 1965; passenger capacity of 20 or more; manufactured after August 19, 1990.	Heat release rate and smoke testing. 14 CFR 25.853(d) in effect March 6, 1995; 14 CFR parts 1 to 59, Revised as of January 1, 1995, and amended by Amdt 25-83, 60 FR 6623, February 2, 1995. Formerly 14 CFR 25.853(a-1) in effect September 26, 1988; 14 CFR parts 1 to 59, Revised as of January 1, 1988, and amended by Amdt 25-66, 53 FR 32584, August 25, 1988
§ 121.312(a)(2)(i)	Transport category; or nontransport category type certificate before January 1, 1965; application for type certificate filed prior to May 1, 1972; substantially complete replacement of cabin interior on or after May 1, 1972.	Provisions of 14 CFR 25.853 in effect on April 30, 1972; 14 CFR parts 1 to 59, Revised as of January 1, 1972.
§ 121.312(a)(3)(i)	Transport category type certificated after January 1, 1958; nontransport category type certificated after January 1, 1958, but before January 1, 1965; passenger capacity of 20 or more; substantially complete replacement of the cabin interior on or after March 6, 1995.	Heat release rate testing. 14 CFR 25.853(d) in effect March 6, 1995; 14 CFR parts 1 to 59, Revised as of January 1, 1995; and amended by Amdt 25-83, 60 FR 6623, February 2, 1995. Formerly 14 CFR 25.853(a-1) in effect August 20, 1986; 14 CFR parts 1 to 59, Revised as of January 1, 1986.
§ 121.312(a)(3)(ii)	Transport category type certificated after January 1, 1958; nontransport category type certificated after January 1, 1958, but before January 1, 1965; passenger capacity of 20 or more; substantially complete replacement of the cabin interior on or after August 20, 1990.	Heat release rate and smoke testing. 14 CFR 25.853(d) in effect March 6, 1995; 14 CFR parts 1 to 59, Revised as of January 1, 1995; and amended by Amdt 25-83, 60 FR 6623, February 2, 1995. Formerly 14 CFR §25.853(a-1) in effect September 26, 1988; CFR, Title 14, Parts 1 to 59, Revised as of January 1, 1988, and amended by Amdt 25-66, 53 FR 32584, August 25, 1988.
§ 121.312(b) (1) and (2)	Transport category airplane type certificated after January 1, 1958; Nontransport category airplane type certificated after December 31, 1964.	Seat cushions. 14 CFR 25.853(c) effective on November 26, 1984; 14 CFR parts 1 to 59, Revised as of January 1, 1984, and amended by Amdt 25-59, 49 FR 43188, October 26, 1984.
§ 121.312(c)	Airplane type certificated in accordance with SFAR No. 41; maximum certificated takeoff weight in excess of 12,500 pounds.	Compartment interior requirements. 14 CFR 25.853(a) in effect March 6, 1995; 14 CFR parts 1 to 59, Revised as of January 1, 1995, and amended by Amdt 25-83, 60 FR 6623, February 2, 1995. Formerly 14 CFR 25.853(a), (b-1), (b-2), and (b-3) in effect on September 26, 1978; 14 CFR parts 1 to 59, Revised as of January 1, 1978.
§ 121.314(a)	Transport category airplanes type certificated after January 1, 1958.	Class C or D cargo or baggage compartment definition, 14 CFR 25.857 in effect on June 16, 1986, 14 CFR parts 1 to 59, Revised 1/1/97, and amended by Amendment 25-60, 51 FR 18243, May 16, 1986.

[Doc. No. 28154, 60 FR 65936, Dec. 20, 1995, as amended by Amdt. 121-269, 63 FR 8049, Feb. 17, 1998]