

Federal Aviation Administration, DOT

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AUTHORITY: 49 U.S.C. 106(g), 40113, 40119, 41706, 44101, 44701-44702, 44705, 44709-44711, 44713, 44716-44717, 44722, 46105.

**SPECIAL FEDERAL AVIATION REGULATION
NO. 14**

Contrary performance provisions of the Civil Air Regulations notwithstanding, the Administrator may grant performance credit for the use of standby power on transport category airplanes. Such credit shall be applicable only to the maximum certificated take-off and landing weights, and the take-off distance, and the take-off paths, and shall not exceed that found by the Administrator to result in an over-all level of safety in the take-off, approach, and landing regimes of

flight equivalent to that prescribed in the regulations under which the airplane was originally certificated without standby power. (NOTE: Standby power is power and/or thrust obtained from rocket engines for a relatively short period and actuated only in cases of emergency.) The following provisions shall apply:

(1) *Take-off; general.* The take-off data prescribed in sections (2) and (3) shall be determined at all weights and altitudes, and at ambient temperatures if applicable, at which performance credit is to be applied.

(2) *Take-off path.* (a) The one-engine-inoperative take-off path with standby power in use shall be determined in accordance with the performance requirements of the applicable airworthiness regulations.

(b) The one-engine-inoperative take-off path (excluding that portion where the airplane is on or just above the take-off surface-determined in accordance with paragraph (a) of this section) shall lie above the one/engine-inoperative take-off path without standby power at the maximum take-off weight at which all of the applicable airworthiness requirements are met. For the purpose of this comparison, the flight path shall be considered to extend to at least a height of 400 feet above the take-off surface.

(c) The take-off path with all engines operating, but without the use of standby power, shall reflect a conservatively greater overall level of performance than the one-engine-inoperative take-off path established in accordance with paragraph (a) of this section. The aforementioned margin shall be established by the Administrator to insure safe day-to-day operations, but in no case shall it be less than 15 percent. The all-engines-operating take-off path shall be determined by a procedure consistent with that established in complying with paragraph (a) of this section.

(d) For reciprocating-engine-powered airplanes, the take-off path to be scheduled in the Airplane Flight Manual shall represent the one-engine-inoperative take-off path determined in accordance with paragraph (a) of this section and modified to reflect the procedure (see section (6)) established by the applicant for flap retraction and attainment of the en route speed. The scheduled take-off path shall have a positive slope at all points of the airborne portion and at no point shall it lie above the take-off path specified in paragraph (a) of this section.

(3) *Take-off distance.* The take-off distance shall be the horizontal distance along the one/engine-inoperative take-off to the point where the airplane attains a height of 50 feet above the take-off surface for reciprocating-engine-powered airplanes and a height of 35 feet above the take-off surface for turbine-powered airplanes.

(4) *Maximum certificated take-off weights.* The maximum certificated take-off weights shall be determined at all altitudes, and at

ambient temperatures if applicable, at which performance credit is to be applied and shall not exceed the weights established in compliance with paragraphs (a) and (b) of this section.

(a) The conditions of section (2) (b) through (d) shall be met at the maximum certificated take-off weight.

(b) Without the use of standby power, the airplane shall meet all of the en route requirements of the applicable airworthiness regulations under which the airplane was originally certificated. In addition, turbine-powered airplanes without the use of standby power shall meet the final take-off climb requirements prescribed in the applicable airworthiness regulations.

(5) *Maximum certificated landing weights.* (a) The maximum certificated landing weights (one-engine/inoperative approach and all-engine/operating landing climb) shall be determined at all altitudes, and at ambient temperatures if applicable, at which performance credit is to be applied and shall not exceed that established in compliance with the provisions of paragraph (b) of this section.

(b) The flight path, with the engines operating at the power and/or thrust appropriate to the airplane configuration and with standby power in use, shall lie above the flight path without standby power in use at the maximum weight at which all of the applicable airworthiness requirements are met. In addition, the flight paths shall comply with the provisions of paragraphs (i) and (ii) of this paragraph (b).

(i) The flight paths shall be established without changing the appropriate airplane configuration.

(ii) The flight paths shall be carried out for a minimum height of 400 feet above the point where standby power is actuated.

(6) *Airplane configuration, speed, and power and/or thrust; general.* Any change in the airplane's configuration, speed, and power and/or thrust shall be made in accordance with the procedures established by the applicant for the operation of the airplane in service and shall comply with the provisions of paragraphs (a) through (c) of this section. In addition, procedures shall be established for the execution of balked landings and missed approaches.

(a) The Administrator shall find that the procedure can be consistently executed in service by crews of average skill.

(b) The procedure shall not involve methods or the use of devices which have not been proven to be safe and reliable.

(c) Allowances shall be made for such time delays in the execution of the procedures as may be reasonably expected to occur during service.

(7) *Installation and operation; standby power.* The standby power unit and its installation shall comply with the provisions of paragraphs (a) and (b) of this section.

(a) The standby power unit and its installation shall not adversely affect the safety of the airplane.

(b) The operation of the standby power unit and its control shall have proven to be safe and reliable.

[23 FR 7454, Sept. 25, 1958. Redesignated at 29 FR 19099, Dec. 30, 1964]

SPECIAL FEDERAL AVIATION REGULATION
NO. 36

1. *Definitions.* For purposes of this Special Federal Aviation Regulation—

(a) A product is an aircraft, airframe, aircraft engine, propeller, or appliance;

(b) An article is an airframe, powerplant, propeller, instrument, radio, or accessory; and

(c) A component is a part of a product or article.

2. *General.* (a) Contrary provisions of §121.379(b) and §135.437(b) of this chapter notwithstanding, the holder of an air carrier certificate or operating certificate, that operates large aircraft, and that has been issued operations specifications for operations required to be conducted in accordance with 14 CFR part 121 or 135, may perform a major repair on a product as described in §121.379(b) or §135.437(a), using technical data that have not been approved by the Administrator, and approve that product for return to service, if authorized in accordance with this Special Federal Aviation Regulation.

(b) [Reserved]

(c) Contrary provisions of §145.201(c)(2) notwithstanding, the holder of a repair station certificate under 14 CFR part 145 that is located in the United States may perform a major repair on an article for which it is rated using technical data not approved by the FAA and approve that article for return to service, if authorized in accordance with this Special Federal Aviation Regulation. If the certificate holder holds a rating limited to a component of a product or article, the holder may not, by virtue of this Special Federal Aviation Regulation, approve that product or article for return to service.

3. *Major Repair Data and Return to Service.*

(a) As referenced in section 2 of this Special Federal Aviation Regulation, a certificate holder may perform a major repair on a product or article using technical data that have not been approved by the Administrator, and approve that product or article for return to service, if the certificate holder—

(1) Has been issued an authorization under, and a procedures manual that complies with, Special Federal Aviation Regulation No. 36-8, effective on January 23, 2004;

(2) Has developed the technical data in accordance with the procedures manual;

(3) Has developed the technical data specifically for the product or article being repaired; and

(4) Has accomplished the repair in accordance with the procedures manual and the procedures approved by the Administrator for the certificate.

(b) For purposes of this section, an authorization holder may develop technical data to perform a major repair on a product or article and use that data to repair a subsequent product or article of the same type as long as the holder—

(1) Evaluates each subsequent repair and the technical data to determine that performing the subsequent repair with the same data will return the product or article to its original or properly altered condition, and that the repaired product or article conforms with applicable airworthiness requirements; and

(2) Records each evaluation in the records referenced in paragraph (a) of section 13 of this Special Federal Aviation Regulation.

4. *Application.* The applicant for an authorization under this Special Federal Aviation Regulation must submit an application before November 14, 2006, in writing, and signed by an officer of the applicant, to the certificate holding district office charged with the overall inspection of the applicant's operations under its certificate. The application must contain—

(a) If the applicant is

(1) The holder of an air carrier operating or commercial operating certificate, or the holder of an air taxi operating certificate that operates large aircraft, the—

(i) The applicant's certificate number; and

(ii) The specific product(s) the applicant is authorized to maintain under its certificate, operations specifications, and maintenance manual; or

(2) The holder of a domestic repair station certificate—

(i) The applicant's certificate number;

(ii) A copy of the applicant's operations specifications; and

(iii) The specific article(s) for which the applicant is rated;

(b) The name, signature, and title of each person for whom authorization to approve, on behalf of the authorization holder, the use of technical data for major repairs is requested; and

(c) The qualifications of the applicant's staff that show compliance with section 5 of this Special Federal Aviation Regulation.

5. *Eligibility.* (a) To be eligible for an authorization under this Special Federal Aviation Regulation, the applicant, in addition to having the authority to repair products or articles must—

(1) Hold an air carrier certificate or operating certificate, operate large aircraft, and have been issued operations specifications for operations required to be conducted in