§ 21.25 Issue of type certificate: Restricted category aircraft.

(a) An applicant is entitled to a type certificate for an aircraft in the restricted category for special purpose operations if he shows compliance with the applicable noise requirements of part 36 of this chapter, and if he shows that no feature or characteristic of the aircraft makes it unsafe when it is operated under the limitations prescribed for its intended use, and that the aircraft—

(1) Meets the airworthiness requirements of an aircraft category except those requirements that the Administrator finds inappropriate for the special purpose for which the aircraft is to be used; or

(2) Is of a type that has been manufactured in accordance with the requirements of and accepted for use by, an Armed Force of the United States and has been later modified for a special purpose.

(b) For the purposes of this section, "special purpose operations" includes—

(1) Agricultural (spraying, dusting, and seeding, and livestock and predatory animal control);

(2) Forest and wildlife conservation;

(3) Aerial surveying (photography, mapping, and oil and mineral exploration);

(4) Patrolling (pipelines, power lines, and canals);

(5) Weather control (cloud seeding);

(6) Aerial advertising (skywriting, banner towing, airborne signs and public address systems); and

(7) Any other operation specified by the Administrator.


§ 21.27 Issue of type certificate: surplus aircraft of the Armed Forces.

(a) Except as provided in paragraph (b) of this section an applicant is entitled to a type certificate for an aircraft in the normal, utility, acrobatic, commuter, or transport category that was designed and constructed in the United States, accepted for operational use, and declared surplus by, an Armed Force of the United States, and that is shown to comply with the applicable certification requirements in paragraph (f) of this section.

(b) An applicant is entitled to a type certificate for a surplus aircraft of the Armed Forces of the United States that is a counterpart of a previously type certificated civil aircraft, if he shows compliance with the regulations governing the original civil aircraft type certificate.

(c) Aircraft engines, propellers, and their related accessories installed in surplus Armed Forces aircraft, for which a type certificate is sought under this section, will be approved for use on those aircraft if the applicant shows that on the basis of the previous military qualifications, acceptance, and service record, the product provides substantially the same level of airworthiness as would be provided if the engines or propellers were type certificated under part 33 or 35 of the Federal Aviation Regulations.

(d) The Administrator may relieve an applicant from strict compliance with a specific provision of the applicable requirements in paragraph (f) of this
section, if the Administrator finds that the method of compliance proposed by the applicant provides substantially the same level of airworthiness and that strict compliance with those regulations would impose a severe burden on the applicant. The Administrator may use experience that was satisfactory to an Armed Force of the United States in making such a determination.

(e) The Administrator may require an applicant to comply with special conditions and later requirements than those in paragraphs (c) and (f) of this section, if the Administrator finds that compliance with the listed regulations would not ensure an adequate level of airworthiness for the aircraft.

(f) Except as provided in paragraphs (b) through (e) of this section, an applicant for a type certificate under this section must comply with the appropriate regulations listed in the following table:

<table>
<thead>
<tr>
<th>Type of aircraft</th>
<th>Date accepted for operational use by the Armed Forces of the United States</th>
<th>Regulations that apply</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rotorcraft with maximum certificated takeoff weight of: 6,000 pounds or less</td>
<td>Before Oct. 2, 1959</td>
<td>CAR Part 6, as effective Oct. 1, 1959. CAR Part 6, or FAR Part 27.</td>
</tr>
<tr>
<td>Over 6,000 pounds</td>
<td>After Oct. 1, 1959&lt;br&gt;Before Oct. 2, 1959</td>
<td>CAR Part 7, as effective Oct. 1, 1959. CAR Part 7, or FAR Part 29. Where no specific date is listed, the applicable regulations are those in effect on the date that the first aircraft of the particular model was accepted for operational use by the Armed Forces.</td>
</tr>
</tbody>
</table>

EFFECTIVE DATE NOTE: By Amdt. 21–92, 74 FR 53386, Oct. 16, 2009, §21.27 was amended by removing the words “the Federal Aviation Regulations” in paragraph (c) and adding, in their place, the words “this subchapter”; and removing the word “FAR” from each place it appears in the table in paragraph (f) and adding in its place the words “14 CFR”, effective Apr. 14, 2010.


(a) A type certificate may be issued for a product that is manufactured in a foreign country with which the United States has an agreement for the acceptance of these products for export and import and that is to be imported into the United States if—

(1) The country in which the product was manufactured certifies that the product has been examined, tested, and found to meet—

(i) The applicable aircraft noise, fuel venting and exhaust emissions requirements of this subchapter as designated in §21.17, or the applicable aircraft noise, fuel venting and exhaust emissions requirements of the country in which the product was manufactured, and any other requirements the Administrator may prescribe to provide noise, fuel venting and exhaust emission levels no greater than those provided by the applicable aircraft noise, fuel venting, and exhaust emission requirements of this subchapter as designated in §21.17; and