section is FAA approved and specifies maintenance required under §§43.16 and 91.403 of the Federal Aviation Regulations unless an alternative program has been FAA approved.

(Amdt. 35–5, 45 FR 60182, Sept. 11, 1980, as amended by Amdt. 35–6, 54 FR 34330, Aug. 18, 1989)

PART 36—NOISE STANDARDS: AIRCRAFT TYPE AND AIRWORTHINESS CERTIFICATION

Subpart A—General

§ 36.1 Applicability and definitions.

(a) This part prescribes noise standards for the issue of the following certificates:

(1) Type certificates, and changes to those certificates, and standard airworthiness certificates, for subsonic transport category large airplanes, and for subsonic jet airplanes regardless of category.

(2) Type certificates and changes to those certificates, standard airworthiness certificates, and restricted category airworthiness certificates, for propeller-driven, small airplanes, and for propeller-driven, commuter category airplanes except those airplanes


Source: Docket No. 9337, 34 FR 18364, Nov. 18, 1969, unless otherwise noted.)

Subpart E [Reserved]

Subpart F—Propeller Driven Small Airplanes and Propeller-Driven, Commuter Category Airplanes

§ 36.501 Noise limits.

Subparts I–N [Reserved]

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that are designed for “agricultural aircraft operations” (as defined in §137.3 of this chapter, as effective on January 1, 1966) or for dispersing fire fighting materials to which §36.1583 of this part does not apply.

(3) A type certificate and changes to that certificate, and standard airworthiness certificates, for Concorde airplanes.

(4) Type certificates, and changes to those certificates, for helicopters except those helicopters that are designated exclusively for “agricultural aircraft operations” (as defined in §137.3 of this chapter, as effective on January 1, 1966), for dispensing fire fighting materials, or for carrying external loads (as defined in §133.1(b) of this chapter, as effective on December 20, 1976).

(b) Each person who applies under Part 21 of this chapter for a type of airworthiness certificate specified in this part must show compliance with the applicable requirements of this part, in addition to the applicable airworthiness requirements of this chapter.

(c) Each person who applies under Part 21 of this chapter for approval of an acoustical change described in §21.93(b) of this chapter must show that the aircraft complies with the applicable provisions of §§36.7, 36.9, or 36.11 of this part in addition to the applicable airworthiness requirements of this chapter.

(d) Each person who applies for the original issue of a standard airworthiness certificate for a transport category large airplane or for a jet airplane regardless of category, the following terms have the following meanings:

(1) A “Stage 1 noise level” means a flyover, lateral or approach noise level greater than the Stage 2 noise limits prescribed in section B36.5(b) of appendix B of this part.

(2) A “Stage 1 airplane” means an airplane that has not been shown under this part to comply with the flyover, lateral, and approach noise levels required for Stage 2 or Stage 3 airplanes.

(3) A “Stage 2 noise level” means a noise level at or below the Stage 2 noise limits prescribed in section B36.5(c) of appendix B of this part (including use of the applicable tradeoff provisions specified in section B36.6) and that does not comply with the requirements for a Stage 3 airplane.

(4) A “Stage 2 airplane” means an airplane that has been shown under this part to comply with Stage 2 noise levels prescribed in section B36.5(b) of appendix B of this part (including use of the applicable tradeoff provisions specified in section B36.6) and that does not comply with the requirements for a Stage 3 airplane.

(5) A “Stage 3 noise level” means a noise level at or below the Stage 3 noise limits prescribed in section B36.5(c) of appendix B of this part.

(6) A “Stage 3 airplane” means an airplane that has been shown under this part to comply with Stage 3 noise levels prescribed in section B36.5(b) of appendix B of this part.
part to comply with Stage 3 noise levels prescribed in section B36.5(c) of appendix B of this part (including use of the applicable tradeoff provisions specified in section B36.6).

(7) A “subsonic airplane” means an airplane for which the maximum operating limit speed, $M_{\text{mo}}$, does not exceed a Mach number of 1.

(8) A “supersonic airplane” means an airplane for which the maximum operating limit speed, $M_{\text{mo}}$, exceeds a Mach number of 1.

(9) A “Stage 4 noise level” means a noise level at or below the Stage 4 noise limit prescribed in section B36.5(d) of appendix B of this part.

(10) A “Stage 4 airplane” means an airplane that has been shown under this part not to exceed the Stage 4 noise limit prescribed in section B36.5(d) of appendix B of this part.

(11) A “Chapter 4 noise level” means a noise level at or below the maximum noise level prescribed in Chapter 4, Paragraph 4.4, Maximum Noise Levels, of the International Civil Aviation Organization (ICAO) Annex 16, Volume I, Amendment 7, effective March 21, 2002. [Incorporated by reference, see §36.6].

(g) For the purpose of showing compliance with this part for transport category large airplanes and jet airplanes regardless of category, each airplane may not be identified as complying with more than one stage or configuration simultaneously.

(h) For the purpose of showing compliance with this part, for helicopters in the primary, normal, transport, and restricted categories, the following terms have the specified meanings:

(1) Stage 1 noise level means a takeoff, flyover, or approach noise level greater than the Stage 2 noise limits prescribed in section H36.305 of appendix H of this part, or a flyover noise level greater than the Stage 2 noise limits prescribed in section J36.305 of appendix J of this part.

(2) Stage 1 helicopter means a helicopter that has not been shown under this part to comply with the takeoff, flyover, and approach noise levels required for Stage 2 helicopters as prescribed in section H36.305 of appendix H of this part, or a helicopter that has not been shown under this part to comply with the flyover noise level required for Stage 2 helicopters as prescribed in section J36.305 of appendix J of this part.

(3) Stage 2 noise level means a takeoff, flyover, or approach noise level at or below the Stage 2 noise limits prescribed in section H36.305 of appendix H of this part, or a flyover noise level at or below the Stage 2 limit prescribed in section J36.305 of appendix J of this part.

(4) Stage 2 helicopter means a helicopter that has been shown under this part to comply with Stage 2 noise limits (including applicable tradeoffs) prescribed in section H36.305 of appendix H of this part, or a helicopter that has been shown under this part to comply with the Stage 2 noise limit prescribed in section J36.305 of appendix J of this part.

(5) Maximum normal operating RPM means the highest rotor speed corresponding to the airworthiness limit imposed by the manufacturer and approved by the FAA. Where a tolerance on the highest rotor speed is specified, the maximum normal operating rotor speed is the highest rotor speed for which that tolerance is given. If the rotor speed is automatically linked with flight condition, the maximum normal operating rotor speed corresponding to that flight condition must be used during the noise certification procedure. If rotor speed can be changed by pilot action, the highest normal operating rotor speed to be certified in the flight manual limitation section for power-on conditions must be used during the noise certification procedure.

[Doc. No. 13243, Amdt. 36–4, 40 FR 1034, Jan. 6, 1975]

EDITORIAL NOTE: For Federal Register citations affecting §36.1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§36.2 Requirements as of date of application.

(a) Section 21.17 of this chapter notwithstanding, each person who applies for a type certificate for an aircraft covered by this part, must show that the aircraft meets the applicable requirements of this part that are effective on the date of application for that