

person may operate a large turbine engine powered airplane or a large pressurized airplane with four reciprocating engines manufactured after October 11, 1991, or on which a cockpit voice recorder has been installed after October 11, 1991, unless it is equipped to record the uninterrupted audio signal received by a boom or mask microphone in accordance with §25.1457(c)(5) of this chapter.

(h) In the event of an accident or occurrence requiring immediate notification of the National Transportation Safety Board under part 830 of its regulations, which results in the termination of the flight, the certificate holder shall keep the recorded information for at least 60 days or, if requested by the Administrator or the Board, for a longer period. Information obtained from the record is used to assist in determining the cause of accidents or occurrences in connection with investigations under part 830. The Administrator does not use the record in any civil penalty or certificate action.

(i) By April 7, 2012, all turbine engine-powered airplanes subject to this section that are manufactured before April 7, 2010, must have a cockpit voice recorder installed that also—

(1) Meets the requirements of §23.1457(d)(6) or §25.1457(d)(6) of this chapter, as applicable;

(2) Retains at least the last 2 hours of recorded information using a recorder that meets the standards of TSO-C123a, or later revision; and

(3) Is operated continuously from the use of the checklist before the flight to completion of the final checklist at the end of the flight.

(4) If transport category, meets the requirements in §25.1457(a)(3), (a)(4), and (a)(5) of this chapter.

(j) All turbine engine-powered airplanes subject to this section that are manufactured on or after April 7, 2010, must have a cockpit voice recorder installed that also—

(1) Is installed in accordance with the requirements of §23.1457 (except for paragraph (a)(6) or §25.1457 (except for paragraph (a)(6)) of this chapter, as applicable;

(2) Retains at least the last 2 hours of recorded information using a recorder

that meets the standards of TSO-C123a, or later revision; and

(3) Is operated continuously from the use of the checklist before the flight to completion of the final checklist at the end of the flight.

(4) For all airplanes manufactured on or after December 6, 2010, also meets the requirements of §23.1457(a)(6) or §25.1457(a)(6) of this chapter, as applicable.

(k) All airplanes required by this part to have a cockpit voice recorder and a flight data recorder, that install datalink communication equipment on or after December 6, 2010, must record all datalink messages as required by the certification rule applicable to the airplane.

[Doc. No. 6258, 29 FR 19205, Dec. 31, 1964]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §121.359, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 121.360 Ground proximity warning-glide slope deviation alerting system.

(a) No person may operate a turbine-powered airplane unless it is equipped with a ground proximity warning system that meets the performance and environmental standards of TSO-C92 (available from the FAA, 800 Independence Avenue SW., Washington, DC 20591) or incorporates TSO-approved ground proximity warning equipment.

(b) For the ground proximity warning system required by this section, the Airplane Flight Manual shall contain—

(1) Appropriate procedures for—

(i) The use of the equipment;

(ii) Proper flightcrew action with respect to the equipment;

(iii) Deactivation for planned abnormal and emergency conditions;

(iv) Inhibition of Mode 4 warnings based on flaps being in other than the landing configuration if the system incorporates a Mode 4 flap warning inhibition control; and

(2) An outline of all input sources that must be operating.

(c) No person may deactivate a ground proximity warning system required by this section except in accordance with the procedures contained in the Airplane Flight Manual.

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(d) Whenever a ground proximity warning system required by this section is deactivated, an entry shall be made in the airplane maintenance record that includes the date and time of deactivation.

(e) No person may operate a turbine-powered airplane unless it is equipped with a ground proximity warning/glide slope deviation alerting system that meets the performance and environmental standards contained in TSO-C92a or TSO-C92b or incorporates TSO-approved ground proximity warning-glide slope deviation alerting equipment.

(f) No person may operate a turbojet powered airplane equipped with a system required by paragraph (e) of this section, that incorporates equipment that meets the performance and environmental standards of TSO-C92b or is approved under that TSO, using other than Warning Envelopes 1 or 3 for Warning Modes 1 and 4.

(g) This section expires on March 29, 2005.

[Doc. No. 28154, 60 FR 65933, Dec. 20, 1995, as amended by Amdt. 121-273, 65 FR 16755, Mar. 29, 2000]

Subpart L—Maintenance, Preventive Maintenance, and Alterations

SOURCE: Docket No. 6258, 29 FR 19210, Dec. 31, 1964, unless otherwise noted.

§ 121.361 Applicability.

(a) Except as provided by paragraph (b) of this section, this subpart prescribes requirements for maintenance, preventive maintenance, and alterations for all certificate holders.

(b) The Administrator may amend a certificate holder's operations specifications to permit deviation from those provisions of this subpart that would prevent the return to service and use of airframe components, powerplants, appliances, and spare parts thereof because those items have been maintained, altered, or inspected by persons employed outside the United States who do not hold U.S. airman certificates. Each certificate holder who uses parts under this deviation must provide for surveillance of facili-

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ties and practices to assure that all work performed on these parts is accomplished in accordance with the certificate holder's manual.

[Doc. No. 8754, 33 FR 14406, Sept. 25, 1968]

§ 121.363 Responsibility for airworthiness.

(a) Each certificate holder is primarily responsible for—

(1) The airworthiness of its aircraft, including airframes, aircraft engines, propellers, appliances, and parts thereof; and

(2) The performance of the maintenance, preventive maintenance, and alteration of its aircraft, including airframes, aircraft engines, propellers, appliances, emergency equipment, and parts thereof, in accordance with its manual and the regulations of this chapter.

(b) A certificate holder may make arrangements with another person for the performance of any maintenance, preventive maintenance, or alterations. However, this does not relieve the certificate holder of the responsibility specified in paragraph (a) of this section.

[Doc. No. 6258, 29 FR 19210, Dec. 31, 1964, as amended by Amdt. 121-106, 38 FR 22378, Aug. 20, 1973]

§ 121.365 Maintenance, preventive maintenance, and alteration organization.

(a) Each certificate holder that performs any of its maintenance (other than required inspections), preventive maintenance, or alterations, and each person with whom it arranges for the performance of that work must have an organization adequate to perform the work.

(b) Each certificate holder that performs any inspections required by its manual in accordance with § 121.369(b)(2) or (3) (in this subpart referred to as *required inspections*) and each person with whom it arranges for the performance of that work must have an organization adequate to perform that work.

(c) Each person performing required inspections in addition to other maintenance, preventive maintenance, or