

(f) For primary category aircraft, the requirements are:

(1) The applicable airworthiness requirements contained in parts 23, 27, 31, 33, and 35 of this subchapter, or such other airworthiness criteria as the FAA may find appropriate and applicable to the specific design and intended use and provide a level of safety acceptable to the FAA.

(2) The noise standards of part 36 applicable to primary category aircraft.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-19, 32 FR 17851, Dec. 13, 1967; Amdt. 21-24, 34 FR 364, Jan. 10, 1969; Amdt. 21-42, 40 FR 1033, Jan. 6, 1975; Amdt. 21-58, 50 FR 46877, Nov. 13, 1985; Amdt. 21-60, 52 FR 8042, Mar. 13, 1987; Amdt. 21-68, 55 FR 32860, Aug. 10, 1990; Amdt. 21-69, 56 FR 41051, Aug. 16, 1991; Amdt. 21-70, 57 FR 41367, Sept. 9, 1992; Amdt. 21-90, 72 FR 63404, Nov. 8, 2007]

#### § 21.19 Changes requiring a new type certificate.

Each person who proposes to change a product must apply for a new type certificate if the FAA finds that the proposed change in design, power, thrust, or weight is so extensive that a substantially complete investigation of compliance with the applicable regulations is required.

[Doc. No. 28903, 65 FR 36265, June 7, 2000]

#### § 21.20 Compliance with applicable requirements.

The applicant for a type certificate, including an amended or supplemental type certificate, must—

(a) Show compliance with all applicable requirements and must provide the FAA the means by which such compliance has been shown; and

(b) Provide a statement certifying that the applicant has complied with the applicable requirements.

[Doc. No. FAA-2006-25877, Amdt. 21-92, 74 FR 53385, Oct. 16, 2009]

#### § 21.21 Issue of type certificate: normal, utility, acrobatic, commuter, and transport category aircraft; manned free balloons; special classes of aircraft; aircraft engines; propellers.

An applicant is entitled to a type certificate for an aircraft in the normal, utility, acrobatic, commuter, or transport category, or for a manned free bal-

loon, special class of aircraft, or an aircraft engine or propeller, if—

(a) The product qualifies under § 21.27; or

(b) The applicant submits the type design, test reports, and computations necessary to show that the product to be certificated meets the applicable airworthiness, aircraft noise, fuel venting, and exhaust emission requirements of this subchapter and any special conditions prescribed by the FAA, and the FAA finds—

(1) Upon examination of the type design, and after completing all tests and inspections, that the type design and the product meet the applicable noise, fuel venting, and emissions requirements of this subchapter, and further finds that they meet the applicable airworthiness requirements of this subchapter or that any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety; and

(2) For an aircraft, that no feature or characteristic makes it unsafe for the category in which certification is requested.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-15, 32 FR 3735, Mar. 4, 1967; Amdt. 21-27, 34 FR 18368, Nov. 18, 1969; Amdt. 21-60, 52 FR 8042, Mar. 13, 1987; Amdt. 21-68, 55 FR 32860, Aug. 10, 1990; Amdt. 21-92, 74 FR 53385, Oct. 16, 2009]

#### § 21.23 [Reserved]

#### § 21.24 Issuance of type certificate: primary category aircraft.

(a) The applicant is entitled to a type certificate for an aircraft in the primary category if—

(1) The aircraft—

(i) Is unpowered; is an airplane powered by a single, naturally aspirated engine with a 61-knot or less  $V_{so}$  stall speed as defined in § 23.49; or is a rotorcraft with a 6-pound per square foot main rotor disc loading limitation, under sea level standard day conditions;

(ii) Weighs not more than 2,700 pounds; or, for seaplanes, not more than 3,375 pounds;

(iii) Has a maximum seating capacity of not more than four persons, including the pilot; and

(iv) Has an unpressurized cabin.

(2) The applicant has submitted—