§ 60.25 Operation with missing, malfunctioning, or inoperative components.

(a) No person may knowingly use or allow the use of, or misrepresent the capability of an FSTD for any maneuver, procedure, or task that is to be accomplished to meet training, evaluation, or flight experience requirements of this chapter for flight crewmember certification or qualification when there is a

(b) FSTD Directive. When the FAA determines that FSTD modification is necessary for safety of flight reasons, the sponsor of each affected FSTD must ensure that the FSTD is modified according to the FSTD Directive regardless of the original qualification standards applicable to any specific FSTD.

(c) Using the modified FSTD. The sponsor may not use, or allow the use of, or offer the use of, the FSTD with the proposed modification for flight crewmember training or evaluation or for obtaining flight experience for the flight crewmember to meet any requirement of this chapter unless:

(1) The sponsor has notified the NSPM and the TPAA of their intent to incorporate the proposed modification, and one of the following has occurred:

(i) Twenty-one days have passed since the sponsor notified the NSPM and the TPAA of the proposed modification and the sponsor has not received any response from either the NSPM or the TPAA;

(ii) Twenty-one days have passed since the sponsor notified the NSPM and the TPAA of the proposed modification and one has approved the proposed modification and the other has not responded;

(iii) Fewer than twenty-one days have passed since the sponsor notified the NSPM and the TPAA of the proposed modification and the NSPM and TPAA both approve the proposed modification;

(iv) The sponsor has successfully completed any evaluation the NSPM may require in accordance with the standards for an evaluation for initial qualification or any part thereof before the modified FSTD is placed in service.

(2) The notification is submitted with the content as, and in a form and manner as, specified in the applicable QPS.

(d) User notification. When a modification is made to an FSTD that affects the Statement of Qualification, the sponsor must post an addendum to the Statement of Qualification until such time as a permanent, updated statement is posted.

(e) MQTG update. The MQTG must be updated with current objective test results in accordance with §60.15(h) and (i) and appropriate objective data in accordance with §60.13, each time an FSTD is modified and an objective test or other MQTG section is affected by the modification. If an FSTD Directive is the cause of this update, the direction to make the modification and the record of the modification completion must be filed in the MQTG.

§ 60.25 Operation with missing, malfunctioning, or inoperative components.

(a) No person may knowingly use or allow the use of, or misrepresent the capability of an FSTD for any maneuver, procedure, or task that is to be accomplished to meet training, evaluation, or flight experience requirements of this chapter for flight crewmember certification or qualification when there is a
§ 60.27 Automatic loss of qualification and procedures for restoration of qualification.

(a) An FSTD qualification is automatically lost when any of the following occurs:

(1) The FSTD is not used in the sponsor’s FAA-approved flight training program in accordance with §60.7(b)(5) or (b)(6) and the sponsor does not obtain and maintain the written statement as described in §60.7(d)(2).

(2) The FSTD is not inspected in accordance with §60.19.

(3) The FSTD is physically moved from one location and installed in a different location, regardless of distance.

(4) The MQTG is missing or otherwise not available and a replacement is not made within 30 days.

(b) If FSTD qualification is lost under paragraph (a) of this section, qualification is restored when either of the following provisions is met:

(1) The FSTD successfully passes an evaluation:

   (i) For initial qualification, in accordance with §§60.15 and 60.17(c) in those circumstances where the NSPM has determined that a full evaluation for initial qualification is necessary; or

   (ii) For those elements of an evaluation for initial qualification, in accordance with §§60.15 and 60.17(c), as determined to be necessary by the NSPM.

(2) The NSPM advises the sponsor that an evaluation is not necessary.

(c) In making the determinations described in paragraph (b) of this section, the NSPM considers factors including the number of continuing qualification evaluations missed, the number of sponsor-conducted quarterly inspections missed, and the care that had been taken of the device since the last evaluation.

§ 60.29 Other losses of qualification and procedures for restoration of qualification.

(a) Except as provided in paragraph (c) of this section, when the NSPM determines that the FSTD no longer meets qualification standards, the following procedure applies:

(1) The NSPM notifies the sponsor in writing that the FSTD no longer meets some or all of its qualification standards.

(2) The NSPM sets a reasonable period (but not less than 7 days) within which the sponsor may submit written information, views, and arguments on the FSTD qualification.

(3) After considering all material presented, the NSPM notifies the sponsor about the determination with regard to the qualification of the FSTD.

(b) When a sponsor seeks reconsideration of a decision from the NSPM concerning the FSTD qualification, the following procedure applies:

(1) The sponsor must petition for reconsideration of that decision within 30 days of the date that the sponsor receives a notice that some or all of the FSTD is no longer qualified.