

Explanation of Primary Regulations (Parts 43 and 91)

14 CFR Part 43—Maintenance, Preventative Maintenance Rebuilding, and Alteration

Section 43.1—Applicability

Paragraph (a) states quite clearly that aircraft (whether U.S.- or foreign-registered operating under 14 CFR part 121 or 135) and component parts thereof must be maintained in accordance with the rules set forth in this part. Although paragraph b states quite clearly the type of aircraft that this part does not apply to, it seems to have led to considerable confusion within the aviation industry. If an aircraft is flying with a Special Airworthiness—Experimental Certificate (FAA Form 8130-7, Special Airworthiness Certificate—pink color certificate) and that is the only airworthiness certificate this aircraft has ever had, then 14 CFR part 43 does not apply.

Conversely, sometimes during maintenance (especially STC modification—the STC is addressed later in this chapter), it becomes necessary to temporarily place the aircraft into Special Airworthiness—Experimental. This is done to show compliance with federal regulations. These aircraft must still be maintained in accordance with 14 CFR part 43, because the aircraft had a different kind of airworthiness (in this example a Standard) prior to being issued the Special Airworthiness Certificate.

Section 43.2—Records of Overhaul and Rebuilding

These terms are not defined in 14 CFR part 1 and are given full explanation in this subpart. Each term states that it may not be used to describe work done on an aircraft, airframe, aircraft engine, propeller, appliance, or component part unless that item has been:

- Disassembled
- Cleaned
- Inspected
- Repaired, as necessary
- Reassembled
- Tested

The key difference between the two terms is in determining how the item is tested. If it is “tested in accordance with approved standards acceptable to the Administration that have been developed and documented by the manufacturer, the item is said to be overhauled.” This is basically another way of describing “service limits,” a term frequently used to describe manufacturer specified acceptable limits for used parts. A “rebuilt item, on the other hand, must be tested to the same tolerances and limits as a new item.”

Section 43.3—Persons authorized to perform maintenance, preventive maintenance, rebuilding, and alterations

There are nine different persons who may perform maintenance: (Reminder: Per 14 CFR part 1, the FAA definition of a person is “an individual, firm, partnership, corporation, association, joint-stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.”)

1. Certificated mechanic, per 14 CFR part 65
2. Certificated repairman, per 14 CFR part 65
3. Person working under the supervision of a certificated mechanic or repairman
4. Holder of repair station certificate
5. Holder of an air carrier certificate
6. Except for holders of a sport pilot certificate, the holder of a pilot certificate issued under part 61 may perform preventive maintenance on any aircraft owned or operated by that pilot which is not used under 14 CFR part 121, 129, or 135. The holder of a sport pilot certificate may perform preventive maintenance on an aircraft owned or operated by that pilot and issued a special airworthiness certificate in the light-sport category.
7. Pilot of a helicopter (when operated under 14 CFR part 135 and in remote areas) may perform specific preventive maintenance actions. These actions may only be accomplished under the following conditions:
 - The mechanical difficulty or malfunction occurred en route to or in the remote area.
 - The pilot has been satisfactorily trained and is authorized in writing by the certificate holder to perform the required maintenance.
 - There is no certificated mechanic available.
 - The certificate holder has procedures to evaluate the work performed when a decision for airworthiness is required. The work done is listed in paragraph (c) of Appendix A of this chapter.
8. Holder of part 135 certificate may allow pilots of aircraft with nine or less passenger seats to remove and reinstall cabin seats and stretchers and cabin mounted medical oxygen bottles. These actions may only be accomplished under the following conditions:
 - The pilot has been satisfactorily trained and is authorized in writing by the certificate holder to perform the required maintenance.