UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY
WASHINGTON, D.C.

Civil Air Regulations Amendment 3-6
Effective: September 13, 1961
Issued: September 7, 1961

[Reg. Docket No. 704; Amdt. 3-6]

PART 3—AIRPLANE AIRWORTHINESS; NORMAL, UTILITY, AND ACROBATIC CATEGORIES

Conversion to Use of Turboprop Engines in Normal, Utility, and Acrobatic Category Airplanes

Currently effective § 3.11(e)(2) of Part 3 of the Civil Air Regulations requires a new type certificate for airplanes, previously certificated under Part 3, when they are modified by a change to engines employing different principles of operation or propulsion and the showing of compliance with all the latest airworthiness regulations of Part 3 effective on the date of application for the new type certificate.

In a notice of proposed rule making published in the FEDERAL REGISTER (26 F.R. 2725) and circulated as Civil Air Regulations Draft Release No. 61-5, the Federal Aviation Agency stated that it had under consideration a proposed amendment of § 3.11(e)(2) to delete the word "operation." As proposed, § 3.11 (e)(2) would require a new type certificate and a showing of compliance with all the latest airworthiness requirements only when an airplane had been modified by a change to engines employing different principles of propulsion. Under this proposal, since turboprop and reciprocating engines employ the same principles of propulsion, an aircraft previously certificated under Part 3 with reciprocating engines would not be affected by the requirement of § 3.11(e)(2) upon conversion from reciprocating engines to the same number of turboprop engines.

The Federal Aviation Agency does not consider that it is essential to safety to retain the requirement in § 3.11(e)(2) that an airplane be shown to comply with all the latest airworthiness requirements of Part 3 simply because it has been modified by a change to engines employing different principles of operation. An equivalent level of safety is assured under other provisions of § 3.11, which require that such a modified airplane be shown to comply with those later airworthiness requirements in effect on the date of application for approval of such modification which are related to the changes made in the engines and which are found necessary by the Administrator to provide a level of safety equal to that established by the regulations under which the airplane was type certificated.

Since the above-mentioned requirement of § 3.11(e)(2) is not necessary in the interest of safety and since the Agency is aware that compliance with such a requirement is burdensome and, in some cases, impracticable, § 3.11(e)(2) is being amended to delete the reference to a change to engines employing different principles of operation.

Interested persons have been afforded an opportunity to participate in the making of this regulation and all comments received supported the proposal. Since this amendment relieves a restriction, it may be made effective on less than 30 days' notice.

In consideration of the foregoing, § 3.11(e)(2) of Part 3 of the Civil Air Regulations (14 CFR Part 3, as amended) is hereby amended to read as follows, effective September 13, 1961.

§ 3.11 Designation of applicable regulations.

* * * * *

(e) * * *

(2) A change to engines employing different principles of propulsion.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

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N. E. HALABY,
Administrator.

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