CIVIL AIR REGULATIONS

PART 5

GLIDER AIRWORTHINESS

Effective March 5, 1952

CIVIL AERONAUTICS BOARD

WASHINGTON, D. C.

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PART 5—GLIDER AIRWORTHINESS

ENACTMENT

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 28th day of January 1952.

In the past, pending the development of specific airworthiness requirements for gliders, the Administrator of Civil Aeronautics has been type certificating gliders on the basis of the general provisions of the airworthiness parts of the Civil Air Regulations applicable to powered aircraft together with certain supplementary material specifically intended for gliders. It now appears that the past satisfactory procedure with respect to the certification of gliders and the relatively few type certificates being issued obviates the necessity of an early promulgation of detailed regulations. It is the Board's intent, however, to make the Civil Air Regulations reflect the present procedure until such time as detailed glider airworthiness requirements are developed. For these reasons the Board is establishing a new Part 5 of the Civil Air Regulations which consists of the administrative material necessary to reflect type certification procedures. The part includes material essentially identical to that in Subpart A of other airworthiness parts of the regulations. Section 5.10 establishes the airworthiness provisions of Part 3 as the basis for the type certification of gliders, modified to the extent the Administrator finds appropriate for gliders.

Interested persons have been afforded an opportunity to participate in the making of this part, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates a new Part 5 of the Civil Air Regulations, effective March 5, 1952, to read as follows:

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AUTHORITY: §§ 5.0 to 5.19 issued under sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 603, 52 Stat. 1007, 1009; 49 U. S. C. 551, 553.

APPLICABILITY AND DEFINITIONS

§ 5.0 *Applicability of this part.* This part establishes standards with which compliance shall be demonstrated for the issuance of type certificates for gliders. This part, until superseded or rescinded, shall apply to all gliders for which applications for type certification are made after the effective date of this part.

§ 5.1 *Definitions.* As used in this part terms are defined as follows:

(a) *Administration*—(1) *Administrator.* The Administrator is the Administrator of Civil Aeronautics.

(2) *Applicant.* An applicant is a person or persons applying for approval of a glider or any part thereof.

(3) *Approved.* Approved, when used alone or as modifying terms such as means, devices, specifications, etc., shall mean approved by the Administrator.

(b) *General design*—(1) *Glider.* A glider is a heavier-than-air aircraft the free flight of which does not depend principally upon a power generating unit.

CERTIFICATION

§ 5.10 *Eligibility for type certificates.* A glider shall be eligible for type certification under the provisions of this part if it complies with the airworthiness provisions of Part 3 of this chapter modified to the extent the Administrator finds appropriate for gliders: *Provided,* That the Administrator finds no feature or characteristic of the glider which renders it unsafe.

§ 5.11 *Designation of applicable regulations.* (a) The provisions of this part, together with all amendments thereto effective on the date of application for type certificate, shall be considered as incorporated in the type certificate as though set forth in full.

(b) Except as otherwise provided by the Board, or pursuant to § 1.24 of this chapter by the Administrator, any change to the type design may be accomplished, at the option of the holder of the type certificate, either in accordance with the provisions incorporated by reference in the certificate pursuant to paragraph (a) of this section, or in accordance with the provisions in effect at the time the application for change is filed.

(c) The Administrator, upon approval of a change to a type design, shall designate and keep a record of the provisions of the Civil Air Regulations with which compliance was demonstrated.

§ 5.12 *Amendment of part.* Unless otherwise established by the Board, an amendment of this part shall be effective with respect to gliders for which applications for type certificates are filed after the effective date of the amendment.

§ 5.13 *Type certificate.* (a) An applicant shall be issued a type certificate when he demonstrates the eligibility of the glider by complying with the requirements of this part in addition to the applicable requirements in Part 1 of this chapter.

(b) The type certificate shall be deemed to include the type design (see § 5.14 (b) of this chapter), the operating limitations for the glider (see § 3.737 of this chapter), and any other conditions or limitations prescribed by the Civil Air Regulations. (See also § 5.11 (a).)

§ 5.14 *Data required.* (a) The applicant for a type certificate shall submit to the Administrator such descriptive data, test reports, and computations as are necessary to demonstrate that the glider complies with the requirements of this part.

(b) The descriptive data required in paragraph (a) of this section shall be known as the type design and shall consist of such drawings and specifications as are necessary to disclose the configuration of the glider and all the design features covered in the requirements of this part, such information on dimensions, materials, and processes as is necessary to define the structural strength of the glider, and such other data as are necessary to permit by comparison the determination of the airworthiness of subsequent gliders of the same type.

§ 5.15 *Inspections and tests.* Inspections and tests shall include all those found necessary by the Administrator to insure that the glider complies with the applicable airworthiness requirements and conforms to the following:

(a) All materials and products are in accordance with the specifications in the type design,

(b) All parts of the glider are constructed in accordance with the drawings in the type design,

(c) All manufacturing processes, construction, and assembly are such that the design strength and safety contemplated by the type design will be realized in service.

§ 5.16 *Flight tests.* After proof of compliance with the structural requirements contained in this part, and upon completion of all necessary inspections and testing on the ground, and proof of the conformity of the glider with the type design, and upon receipt from the applicant of a report of flight tests performed by him, such official flight tests shall be conducted as the Administrator finds necessary to determine compliance with the requirements of this part.

§ 5.17 *Airworthiness, experimental, and production certificates.* (For requirements with regard to these certificates see Part 1 of this chapter.)

§ 5.18 *Approval of materials, parts, processes, and appliances.* (a) Materials, parts, processes, and appliances shall be approved upon a basis and in a manner found necessary by the Administrator to implement the pertinent provisions of the Civil Air Regulations. The Administrator may adopt and publish such specifications as he finds necessary to administer this regulation, and shall incorporate therein such portions of the aviation industry, Federal, and military specifications respecting such materials, parts, processes, and appliances as he finds appropriate.

NOTE: The provisions of this paragraph are intended to allow approval of materials, parts, processes, and appliances under the system of Technical Standard Orders, or in conjunction with type certification procedures for a glider, or by any other form of approval by the Administrator.

(b) Any material, part, process, or appliance shall be deemed to have met the requirements for approval when it meets the pertinent specifications adopted by the Administrator, and the manufacturer so certifies in a manner prescribed by the Administrator.

§ 5.19 *Changes in type design.* (For requirements with regard to changes in type design see Part 1 of this chapter.)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 52-1422; Filed, Feb. 4, 1952; 8:51 a. m.]

NOTICE

Advise the Civil Aeronautics Board, Washington 25, D. C., that you have purchased this Part of the Civil Air Regulations and that agency will supply you with copies of amendments which have been issued since this printing. Be sure to specify the number of this Part, otherwise your request cannot be filled.

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