Federal Aviation Administration

Memorandum

Date: March 22, 2006

To: Frank P. Paskiewicz, Manager, Production and Airworthiness Certification Division, AIR-200

From: Rebecca MacPherson, Assistant Chief Counsel, Regulations Division, Office of the Chief Counsel, AGC-200

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Subject: Repositionable Landing Gear

This memorandum responds to your March 8, 2006, request for a definition of the term "repositionable landing gear" and its effect on the certification of light-sport aircraft.

Although not specifically defined in § 1.1 of Title 14, Code of Federal Regulations, the term "repositionable landing gear" is found in paragraph (12) of the definition of "light-sport aircraft" contained in that section. That paragraph states that a light-sport aircraft must have "fixed or repositionable landing gear, or a hull, for aircraft intended for operation on water."

The definition of light-sport aircraft was added to § 1.1 as a result of the changes made in the Final Rule titled "Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft" (69 FR 44772; July 27, 2004). On page 44801 of that final rule, the FAA, in response to a commenter who requested a definition of repositionable gear, stated:

> The FAA notes that for the purposes of light-sport aircraft, repositionable landing gear is wheeled landing gear that allows an aircraft designed for operation on water to take off and land from a hard surface and which may be retracted on the ground to permit takeoff and landing on water. Repositionable landing gear remains fixed in position from takeoff through landing. For aircraft intended for operation on water, repositionable landing gear is acceptable for light-sport aircraft because it does not add to mechanical or operational complexity.

The FAA further noted:

> Several commenters saw no difference between simple retractable landing gear, and the repostitionable landing gear that the FAA's proposal would permit for seaplanes.

> The FAA disagrees. The FAA did not intend to permit retractable landing gear for aircraft designed for operation on water (69 FR 44801).

Landing gear that can be extended or retracted while an aircraft is in flight is therefore not considered repositionable landing gear under the provisions of the rule. An aircraft intended for operation on water that is equipped with landing gear that can be extended or retracted while in flight does not meet the definition of light-sport aircraft specified in § 1.1.

Accordingly, such an aircraft can not be issued a special airworthiness certificate in the light-sport category under § 21.190 or an experimental certificate for the purpose of operating a light-sport aircraft under § 21.191(i). The aircraft also can not be operated by a person exercising the privileges of a sport pilot.

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