U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

February 27, 2012

Ms. Carol Carpenter
[redacted]

Dear Ms. Carpenter:

This responds to your e-mail dated October 31, 2011, to Rebecca MacPherson, Assistant Chief Counsel for Regulations. In that e-mail you requested a determination as to whether a mechanic or repairman must complete "factory training" and "recurrent training" that has been "mandated" by Rotax in its maintenance manual for an engine installed in an aircraft issued a special airworthiness certificate in the light-sport category prior to performing work on that engine and approving the aircraft for return to service.

The rules applicable to the performance of maintenance, preventive maintenance, rebuilding, and alteration of aircraft issued a special airworthiness certificate in the light-sport category are contained in part 43 of Title 14, Code of Federal Regulations (14 CFR). Section 43.3 of that part specifically authorizes the holder of a mechanic or repairman certificate to perform maintenance, preventive maintenance, and alterations as provided in part 65. Section 43.13, which sets forth the performance rules applicable to work performed by these certificate holders, states in paragraph (a) that:

> Each person performing maintenance, alteration, or preventive maintenance on an aircraft, engine, propeller or appliance shall use the methods, techniques, and practices prescribed in the current manufacturer's maintenance manual or Instructions for Continued Airworthiness prepared by its manufacturer, or other methods, techniques, and practices acceptable to the Administrator, except as noted in § 43.16.[1]

Part 43 does not mandate completion of initial or recurrent training prior to the performance of work by a certificated mechanic or repairman.

The requirements applicable to the issuance of mechanic and repairman certificates and the general operating rules for holders of those certificates are found in 14 CFR part 65. Section

[1] Section 43.16 refers to airworthiness limitations.

65.81, which sets forth the general privileges and limitations applicable to holders of a mechanic certificate, states that:

> (a) A certificated mechanic may perform or supervise the maintenance, preventive maintenance or alteration of an aircraft or appliance, or a part thereof, for which he is rated (but excluding major repairs to, and alterations of, propellers, and any repair to, or alteration of, instruments) and may perform additional duties in accordance with §§ 65.85, 65.87, and 65.95.[2] However, he may not supervise the maintenance, preventive maintenance, or alteration of, or approve and return to service, any aircraft or appliance, or part thereof, for which he is rated unless he has satisfactorily performed the work concerned at an earlier date. If he has not so performed that work at an earlier date, he may show his ability to do it by performing it to the satisfaction of the Administrator or under the direct supervision of a certificated and appropriately rated mechanic, or a certificated repairman, who has had previous experience in the specific operation concerned.
> (b) A certificated mechanic may not exercise the privileges of his certificate and rating unless he understands the current instructions of the manufacturer, and the maintenance manuals for the specific operation concerned.

Neither that regulation nor any other regulation within part 65 mandates the completion of any initial or recurrent training in order for a certificated mechanic to perform work on an aircraft, airframe, aircraft engine, propeller, appliance, or component part.

Similar provisions for persons holding a repairmen certificate (light-sport aircraft) with a maintenance rating are contained in § 65.107(d). The only training required to be completed by these certificate holders in order to perform maintenance, preventive maintenance, or an alteration to a light-sport aircraft consists of that training required to be completed for the initial issuance of the certificate specified in paragraph (a)(3)(ii) of § 65.107.

Although manufacturers may reference regulatory requirements in their maintenance manuals, they may not impose additional requirements on mechanics or repairmen that are not contained in the regulations. The FAA recognizes that some manufacturers have placed what they deem "training requirements" in their maintenance manuals and that these provisions may be consistent with consensus standards accepted by the FAA. These maintenance manuals, however, are not FAA approved and without a regulatory basis, these training provisions are non-enforceable.

The FAA strongly encourages mechanics and repairmen to obtain both initial and recurrent training. Training provided by a manufacturer may provide a mechanic or repairman with a means of obtaining the necessary understanding of the methods, techniques, and practices required to properly perform work on an aircraft and its components. A manufacturer may

---

[2] Section 65.85 specifies additional privileges for holders of an airframe rating and § 65.87 specifies the additional privileges for holders of a powerplant rating. The privileges and limitations applicable to holders of an inspection authorization are specified in § 65.95. Although not specifically referenced in this section, § 65.83 specifies the recent experience requirements for all mechanics.

not, however, use a maintenance manual to impose a training requirement on a certificated mechanic or repairman that is not set forth in a regulation.

This interpretation was prepared by Paul Greer, an attorney in the Regulations Division of the Office of the Chief Counsel, and was coordinated with the Aircraft Maintenance Division (AFS-300) and the Regulatory Support Division (AFS-600) of the Flight Standards Service. If you have additional questions regarding this matter, please contact us at your convenience at (202) 267-3073.

Sincerely,

Rebecca B. MacPherson
Assistant Chief Counsel, Regulations Division (AGC-200)
Office of the Chief Counsel