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

Office of the Chief Counsel

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

August 21, 2013

Mr. Charles Willette
President
Dodge Center Aviation, LLC
802 South Airport Road
Dodge Center, Minnesota 55927

Dear Mr. Willette:

This responds to your e-mail dated March 14, 2013 in which you requested a determination as to whether information contained in the maintenance manuals for aircraft issued special airworthiness certificates in the light-sport category (S-LSA) is mandatory. You specifically question whether component replacement and engine overhaul times specified by manufacturers as being mandatory must be complied with.

The rules applicable to the performance of maintenance, preventive maintenance, rebuilding, and alteration of S-LSA are contained in part 43 of Title 14, Code of Federal Regulations (14 CFR). Section 43.13 sets forth the performance rules applicable to persons performing work on these aircraft. Paragraph (a) of that section specifically states 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 that a person specifically perform maintenance, alteration, or preventive maintenance solely in accordance with those instructions specified in a manufacturer's maintenance manual. It also permits a person to perform such work in accordance with other methods, techniques, and practices acceptable to the Administrator.

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[1] Section 43.16 refers to Airworthiness Limitations. A person performing an inspection or other maintenance specified in the Airworthiness Limitations section of a manufacturer's maintenance manual must perform that work in accordance with that section or as otherwise specifically approved by the Administrator. Maintenance manuals for S-LSA do not have an Airworthiness Limitations section to which the provisions of this section would apply.

The FAA recognizes that some manufacturers have placed what they deem "mandatory" replacement or overhaul times in their maintenance manuals for S-LSA and that these provisions may be consistent with consensus standards accepted by the FAA. While following the intervals set forth in the maintenance manuals is an acceptable means of maintaining the aircraft under § 43.13(a), a maintenance provider may use another method that is acceptable to the FAA. The intervals specified in maintenance manuals for S-LSA, therefore, are not *per se* mandatory. Consequently, a maintenance provider may develop an alternative that is acceptable to the FAA and maintain an S-LSA in accordance with those provisions.

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) of the Flight Standards Service. If you have additional questions regarding this matter, please contact us at your convenience at (202) 267-3073.

Sincerely,

Mark W. Bury
Acting Assistant Chief Counsel for International
Law, Legislation, and Regulations