U.S. Department
of Transportation
Federal Aviation Administration

Office of the Chief Counsel
800 Independence Ave., SW.
Washington, DC 20591

AUG - 4 2014

Alex Klingen
Director Quality Control
American Eagle Airlines, Inc.
1725 W 20th Street
P.O. Box 612527 MD 1200
DFW Airport, Texas 75261-2527

Dear Mr. Klingen:

This letter is in response to your March 13, 2014 request for a legal interpretation of 14 CFR § 43.3(g). You asked whether the holder of a pilot certificate issued under Part 61 with an airframe and powerplant (A&P) certificate issued under Part 65 may perform preventive maintenance and/or maintenance on company aircraft operated by that pilot under Part 121.

In your letter, you indicated that § 43.3(g) only mentions preventive maintenance; it does not state that a pilot may not perform maintenance on Part 121 aircraft. You also indicated that the rule does not address a pilot with a valid A&P certificate.

Section 43.3(g) does not prohibit the holder of a pilot certificate issued under Part 61 with an A&P certificate issued under Part 65 from performing preventive maintenance and/or maintenance on company aircraft operated by that pilot under Part 121. Section 43.3(b) specifically states that "[t]he holder of a mechanic certificate may perform maintenance, preventive maintenance, and alterations as provided in Part 65 of this chapter." Thus, the holder of a pilot certificate issued under Part 61 with an A&P certificate issued under Part 65 may perform preventive maintenance and/or maintenance on company aircraft operated by that pilot under Part 121. However, the holder of the A&P certificate must follow the Part 121 certificate holder's maintenance program pursuant to § 121.367.

We appreciate your patience and trust that the above responds to your concerns. If you need further assistance, please contact my staff at (202) 267-3073. This response was prepared by Katie Patrick, Attorney, International Law, Legislation and Regulations Division of the Office of the Chief Counsel, and coordinated with the Aircraft Maintenance Division of the Flight Standards Service.

Sincerely,

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