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

Office of the Chief Counsel

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

NOV 19 2015

Michael "Skippy" DaSilva
Manager of Maintenance Training
24950 Country Club Blvd, Suite 300
North Olmstead, OH 44070

Dear Mr. DaSilva:

This is in response to your e-mail dated May 7, 2015, requesting a legal intpretation of Title 14 Code of Federal Regulations (14 CFR) § 65.83, as it pertains to the requirements that apply to a newly certificated mechanic. Additionally, during a phone conversation on September 24, 2015, you clarified that you are interested in whether or not a newly certificated mechanic may exercise the privileges of his or her certificate prior to obtaining the experience specified in § 65.83(b).

This letter corrects the letter of interpretation dated November 4, 2015, and strikes that letter from the Federal Aviation Administration database. The November 4, 2015 letter of interpretation cited 14 C.F.R. §§ 61.75, 61.77, 61.79 as the provisions that describe the knowledge, experience, and skill requirements that apply to an applicant for a mechanic certificate and rating. This letter of interpretation cites the correct regulations, 14 C.F.R. §§ 65.75, 65.77, and 65.79, as the provisions that describe the knowledge, experience, and skill requirements that apply to an applicant for a mechanic certificate and rating.

Section 65.83 states:

> A certificated mechanic may not exercise the privileges of his certificate and rating unless, within the preceding 24 months—
> (a) The Administrator has found that he is able to do that work; or
> (b) He has, for at least 6 months—
> (1) Served as a mechanic under his certificate and rating;
> (2) Technically supervised other mechanics;
> (3) Supervised, in an executive capacity, the maintenance or alteration of aircraft; or
> (4) Been engaged in any combination of paragraph (b)(1), (2), or (3) of this section.

14 CFR 65.83. This language makes clear that a certificated mechanic may not exercise the privileges of his or her certificate unless the Administrator has found that he or she is able to do that work, or, for at least six months, he or she has served as described in paragraph (b). In your request, you state that you do not interpret § 65.83 as being applicable to newly certificated mechanics, but rather to those mechanics who have held their certificates for a

minimum of 24 months. You also asked whether a newly certificated mechanic gets a "fresh 24 month clock", in other words whether a new mechanic would not have to show he has met the requirements of § 65.83 until he has held his Airframe and Powerplant (A&P) certificate for 24 months.

Section 65.83 applies to any certificated mechanic, not only those who have held their certificates for a minimum of 24 months. Additionally, the requirements of § 65.83 are triggered by the exercise of a certificated mechanic's certificate and rating. Whenever a certificated mechanic wishes to exercise the privileges of his or her certificate, he or she must demonstrate that he or she has met the requirements of § 65.83(a) or (b) in the preceding 24 months. This does not mean the certificated mechanic has 24 months in which to satisfy the requirements, but rather that he or she must demonstrate he or she meets the requirements prior to exercising the privileges of his or her certificate.

The experience gained by an aircraft mechanic prior to earning an FAA Airframe and Powerplant certificate is valid practical experience that may be applied to the § 65.83(a) requirements. This regulation ensures that a mechanic is aware that he or she must have the knowledge, skill and ability to do the work, and be able to demonstrate that knowledge to the FAA when required. *See* 14 C.F.R. §§ 65.75, 65.77, 65.79 (describing the knowledge, experience, and skill requirements that apply to an applicant for a mechanic certificate and rating).

I hope this information has been helpful. This response was coordinated with Aircraft Maintenance Division (AFS-300). If you have further questions concerning this response, please contact Sabrina Jawed on my staff at 202-267-3073.

Sincerely,



Lorelei Peter
Acting Assistant Chief Counsel for Regulations, AGC-200