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Carol E. Giles
Manager
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Washington, DC 20024-2123

RE: 14 CFR section 145.213 Guidance

Dear Carol:

It has come to the association's attention that the Federal Aviation Administration's (FAA) guidance regarding 14 CFR section 145.213 is incorrect.

Specifically—

- (1) The note in Order 8900.1, Volume 6, Chapter 9, Section 10, paragraph 6-1856B.1 that indicates the person performing final inspections must be certificated under part 65.¹
- (2) The description of "maintenance function" found in Volume 2, Chapter 11, Section 1, paragraph 2-1182A.18 contains similar language.²

This is incorrect; the person performing a final inspection (not the approval for return to service) need only be qualified as an inspector under section 145.155.

Section 145.213 makes clear that the final inspection must be performed before the work is approved for return to service.³ It is equally clear that the person performing the final inspection must be qualified under section 145.155.⁴

¹ See, "NOTE: To satisfy the requirements of part 145, §§ 145.153(b)(1), 145.157(a), and 145.213(d), repair station personnel employed as repairmen with job functions including return to service, final inspection, or maintenance release of an aviation article, must have the appropriate rating on their repairman certificates." (Emphasis added.)

² "Maintenance Function. A maintenance function is a step or series of steps in the process of performing maintenance, preventive maintenance, or alterations, which may result in approving an article for return to service. Only persons authorized under 145.157(a) and 145.213(d) may approve an article for return to service, perform a final inspection, or sign a maintenance release." (Emphasis added.)

³ See, section 145.213(a) which states: A certificated repair station must inspect each article upon which it has performed maintenance, preventive maintenance, or alterations as described in paragraphs (b) and (c) of this section before approving that article for return to service. (Emphasis added.) See, also, section 145.213(b), which states: A certificated repair station must certify on an article's maintenance release that the article is airworthy with respect to the maintenance, preventive maintenance, or alterations performed after—(1) The repair station performs work on the article; and (2) An inspector inspects the article on which the repair station has performed work and determines it to be airworthy with respect to the work performed. (Emphasis added.)

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While the association appreciates that most persons performing the final inspection are also qualified to issue the approval for return to service (and therefore must be certificated under part 65), there are repair stations that separate the final inspection function from the approval for return to service. The person performing the final inspection must therefore only be qualified under section 145.155, not section 145.157.

We understand that there may be confusion over this issue due to the language in section 145.213(d) that indicates the final inspection must be "signed off" by a person certificated under part 65.⁵ That "requirement" merely means that the person authorized to approve the work for return to service must ensure that a final inspection has been performed before issuing the maintenance release.

The association respectfully requests that the note in Order 8900.1, Volume 6, Chapter 9, Section 10, paragraph 6-1856B.1 be changed to:

"NOTE: To satisfy the requirements of part 145, §§ 145.153(b)(1), 145.157(a), and 145.213(d), repair station personnel employed as repairmen with job functions including return to service or maintenance release of an aviation article, must have the appropriate rating on their repairman certificates."

Additionally, the association requests the definition of "maintenance function" in Volume 2, Chapter 11, Section 1, paragraph 2-1182A.18 be changed to:

"Maintenance Function. A maintenance function is a step or series of steps in the process of performing maintenance, preventive maintenance, or alterations, which may result in approving an article for return to service. Only persons authorized under 145.157(a) and 145.213(d) may approve an article for return to service or sign a maintenance release."

We look forward to the guidance being updated. If you have any questions, please do not hesitate to contact us.

Your Servant,



Sarah MacLeod
Executive Director

⁴ See, section 145.213(c), which states: For the purposes of paragraphs (a) and (b) of this section, an inspector must meet the requirements of §145.155. (Emphasis added.)

⁵ See, section 145.213(d), which states: (d) Except for individuals employed by a repair station located outside the United States, only an employee certificated under part 65 is authorized to sign off on final inspections and maintenance releases for the repair station. (Emphasis added.)