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| **Subject:** Working Away from a Fixed Location | **Date:** XX/XX/XX | **No:** 145-203  **Change:** X |

# PURPOSE

This advisory outlines the ability and conditions for entities certificated under part [145](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr145_main_02.tpl) of the Code of Federal Regulations (CFR) to work away from their fixed locations. It also includes information on methodologies for controlling such work. The information is not all-inclusive.

# APPLICABILITY

1. Repair stations domiciled in the United States.
2. Foreign repair stations domiciled in a country that does not have a bilateral aviation safety agreement and implementation procedures with the United States.

# RELATED PARTS OF 14 CFR AND ADVISORY MATERIALS

* Part [43](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr43_main_02.tpl)—Maintenance, Preventive Maintenance, Rebuilding, and Alteration
* Part [145](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr145_main_02.tpl)—Repair Stations
* [AC 145-9](http://www.airweb.faa.gov/Regulatory_and_Guidance_Library/rgAdvisoryCircular.nsf/0/70A2370D88E1E36486256D5D00659FA3?OpenDocument&Highlight=145)—Guide for Developing and Evaluating Repair Station and Quality Control Manuals
* [Order 8900.1](http://fsims.faa.gov/)—Flight Standards Information Management System

# BACKGROUND

Conditions under which a repair station works away from its fixed location have changed dramatically over the years. At one time, the need to perform work under the auspices of a repair station certificate was limited to a permanent location or in the event of a special circumstance, such as an aircraft on the ground, away from that fixed location.

Today, work is performed at various locations away from the fixed location, some are familiar sites or facilities known to the repair station and used sporadically to meet customer demands and business needs. Other locations may be *ad hoc*, where work is done at a customer’s behest for varying periods of time. Some repair stations utilize mobile repair units that may travel across state lines or even internationally to address commercial obligations and provide customer maintenance services.

When work is performed under a repair station certificate more control and predictability in regulatory and commercial compliance is realized.

# DEFINITIONS

1. Recurring. Usual and repeated activity that occurs in the normal course of business.
2. Temporary/temporarily. Transient; an arrangement without permanency.

# GENERAL

1. [Section 145.203(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=3e9f206dab666babbe889e0700e4f48f&node=14:3.0.1.2.19.5.3.2&rgn=div8) contemplates a repair station working away from its fixed location under special circumstances as determined by the FAA.
2. Provided the *work* is temporary, § [145.203(b)](http://www.ecfr.gov/cgi-bin/text-idx?SID=3e9f206dab666babbe889e0700e4f48f&node=14:3.0.1.2.19.5.3.2&rgn=div8) allows a repair station to perform maintenance, preventive maintenance and alteration away from its fixed location on a recurring basis in accordance with procedures in its manual (see § [145.209(f)](http://www.ecfr.gov/cgi-bin/text-idx?SID=186e3365bad63c3c4c07eca7603bf4e1&node=14:3.0.1.2.19.5.3.6&rgn=div8)).
   1. The work assigned or dispatched should be the focus of the evaluation or discussion of whether a particular location is permanent.
   2. A repair station may have several or many areas or places where personnel are located or assigned, materials, documents and data are sent and received, communication is managed and various administrative activities take place. These activities, in and of themselves, do not constitute work nor do they establish a fixed or permanent location.
   3. A repair station may have several mobile maintenance units that it dispatches from fixed locations to perform work under the auspices of the part 145 certificate.
3. To accommodate the variety of situations where an entity may work away from a fixed location, the air agency certificate and operations specifications (OpsSpecs) include—
   1. The business’ fixed location, which should be where the—
      1. Housing, facilities, equipment, personnel and data necessary to obtain and maintain the air agency certificate is located.
      2. Regular and necessary business of the company is performed, including continuous day-to-day maintenance, preventive maintenance and alteration under the air agency part 145 certificate.
      3. Address associated with the corporate domicile (e.g., where the home office is located or the state where the business is incorporated). State registries normally indicate the state of incorporation as well as the domicile state for the corporate entity.
      4. The work away would normally be dispatched; the repair station and quality manual would contain the information required by § [145.209(f)](http://www.ecfr.gov/cgi-bin/text-idx?SID=186e3365bad63c3c4c07eca7603bf4e1&node=14:3.0.1.2.19.5.3.6&rgn=div8).
   2. Additional fixed locations, which should be—
      1. Permanent, in that housing, facilities, equipment, personnel and data are continually used, customer articles are regularly delivered and work will continuously be performed under the auspices of the part 145 air agency certificate.
      2. Listed on the repair stations OpsSpecs in paragraph [A101](http://fsims.faa.gov/PICDetail.aspx?docId=8900.1,Vol.3,Ch18,Sec10).
      3. Incorporated into the quality manual requirements of § [145.209(f)](http://www.ecfr.gov/cgi-bin/text-idx?SID=186e3365bad63c3c4c07eca7603bf4e1&node=14:3.0.1.2.19.5.3.6&rgn=div8) if work away will be dispatched from the listed site.
   3. Paragraph [D100](http://fsims.faa.gov/PICDetail.aspx?docId=8900.1,Vol.3,Ch18,Sec10) when the repair station will be working away from the fixed location on a recurring basis.
4. If there are doubts about whether the company is properly incorporated or is permanently performing work at a particular site, local legal counsel should be queried to ensure appropriate actions are taken to properly associate a location with the company’s state and federal obligations.

# WORKING AWAY DUE TO SPECIAL CIRCUMSTANCES

Section [145.203(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=3e9f206dab666babbe889e0700e4f48f&node=14:3.0.1.2.19.5.3.2&rgn=div8) states that a certificated repair station may transport material, equipment, and personnel needed to perform maintenance, preventive maintenance, alterations or certain specialized services on an article for which it is rated to a place other than the repair station’s fixed location if the work is necessary *due to a special circumstance, as determined by the FAA*.

The agency provides two options for requesting and obtaining the ability to work away due to special circumstances.

1. Case-by-case determination of special circumstance. The repair station may request a determination of special circumstances to work away from its fixed location on a case-by-case basis.
2. For the methods and procedures that are not contained in the repair station’s quality manual, the written request should explain—
   1. The work scope of the project in enough detail to establish it is within the repair station’s certificate, rating(s) and capabilities.
   2. The location of the project.
   3. The expected duration of the project—if for more than one year, an explanation of the need for the extended period.
   4. The method by which personnel will be chosen, including the persons responsible for planning, performing, supervising, inspecting and approving the work for return to service.
   5. If for an extended period, the method for ensuring—
      1. Employment summaries (see § [145.161(a)(4)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.7&rgn=div8)) and rosters (see § [145.161(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.7&rgn=div8)) are current and kept current.
      2. The repair station manual reflects the appropriate duties, responsibilities and authority of management, supervisory, inspection and approval for return to service of persons that will be working away from the fixed location (see § [145.209(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.5.3.6&rgn=div8)).
   6. The method for ensuring the location has the necessary housing and facilities for accomplishing the work scope within part [43](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr43_main_02.tpl).
      1. If the work will be performed outside, the method for ensuring the ambient conditions is conducive for the extent and nature of the project.
      2. If temporary housing will be erected or is needed for the project, the method of obtaining the enclosure at the appropriate time in the project.
   7. The method for transporting any equipment, tools, materials and data to the work site.
3. Method for dispatching or obtaining the calibrated equipment needed to make final airworthiness determinations on the work performed.
4. Method for dispatching or obtaining necessary non-calibrated equipment, tools and tooling needed to accomplish the work scope.
5. Method for dispatching to or obtaining the necessary maintenance data (maintenance manuals, overhaul manuals, Instructions for Continued Airworthiness, service bulletins, supplemental type certificate data, and other information pertinent to the maintenance, preventive maintenance and alteration activities that is acceptable to or approved by the Administrator).
6. Method for dispatching or obtaining the proper replacement items (e.g., parts, subassemblies) and materials (e.g., raw metals, solvents) and services (e.g., heat treat, welding). If the items are not dispatched from the fixed location, include the methodology for receiving, performing incoming inspection, handling and storage of items that will be used or installed.
7. If hazardous material may or will be involved, the methodology for ensuring proper compliance with § [145.165](http://www.ecfr.gov/cgi-bin/text-idx?SID=dc230ae07bf356177f2dd39fd2ec4bf0&node=14:3.0.1.2.19.4.3.9&rgn=div8) regarding an employer training program and air carrier notification.
   1. The method for storing any equipment, tools, materials and data for the duration of the project.
   2. Method for communication between and among personnel in the field and the repair station. The communication methodology needs to ensure the ability to transmit voice and data on a consistent basis. The ability to transmit verbal instruction and written documents is essential to establishing and maintaining continuous compliance with parts [43](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr43_main_02.tpl) and [145](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr145_main_02.tpl).
   3. Method for performing preliminary, hidden-damage, in-process and final inspections of the articles being worked on, if different from the methodology used at the fixed location. If different forms are used to record activities, they would be included in the repair station’s forms manual (see § [145.211(c)(3)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.5.3.7&rgn=div8)).
   4. Method for tracking and recording maintenance performed for the owner of the article being maintained (e.g., logbook) and for the repair station. If different maintenance records will be used for the repair station, they would be included in the repair station’s forms manual (see § [145.211(c)(3)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.5.3.7&rgn=div8)).
8. Once the request is submitted, the FAA must approve the special circumstances and may issue further instructions or limitations *before* work may begin. The request, along with the FAA’s approval and changes or additions should be kept in each applicable work order file.
9. General determination of special circumstance. If the repair station knows that it will be called away from the fixed location to perform specific work on an infrequent but sporadic and recurring basis, it may request a general determination of special circumstances from the FAA and place appropriate procedures in its repair station manual.

By requesting the general determination of special circumstances and obtaining verification from the FAA, the repair station will not need to request permission on a case-by-case basis provided it stayed within the parameters sought and accepted. The repair station would follow its procedures and notify the FAA when work was performed away from the fixed location.

1. The request should take the form of a letter with procedures to be included in the repair station manual that explain:
2. The types of, and limitations on, work that would be considered special circumstances.
   1. The scope of any work must be within the repair station’s rating and capability. The types, scopes and limitations of the pre-determined special circumstances must be specific enough to allow oversight with enough flexibility to accommodate known customer requests. The type of work could include emergency requirements, aircraft on the ground for avionic or engine work or customer ferry flight preparation.
   2. If the occurrences become routine, the repair station should notify the FAA and adapt the procedures to comply with Paragraph VII of this Advisory.
3. The maximum length of time that will be expended away from the fixed location to accommodate the special circumstances.
   1. If there are different expected time frames for each type of work being requested, provide an explanation of the expectations.
   2. If the work exceeds the expected maximum, provide a method for notifying the FAA on a regular basis to keep it abreast of the activity until the project is complete.
4. Method for generating work orders for the scope, nature, location and extent of work anticipated.
5. Method for analyzing the qualifications of personnel and dispatching or obtaining the personnel required for the scope and type of work anticipated and performed. Consider—
   1. General knowledge (through training and experience) and capability requirements (see §§ [145.151](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.1&rgn=div8), [145.163](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.8&rgn=div8)),
   2. The requirement for individual certification of supervisors and persons authorized to approve work for return to service (see §§ [145.153](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.2&rgn=div8), [145.157](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.4&rgn=div8)), and
   3. The requirements for knowledgeable and capable inspectors (see § [145.155](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.3&rgn=div8)).
6. Methodology for ensuring employment summaries (see § [145.161(a)(4)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.7&rgn=div8)) and rosters (see § [145.161(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.7&rgn=div8)) are kept current and that the repair station manual reflects the appropriate duties, responsibilities and authority of management personnel (supervisory, inspection and approval for return to service personnel) for persons authorized to work away from the fixed location (see § [145.209(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.5.3.6&rgn=div8)).
7. Method for verifying the extent and nature of available housing and facilities; if inadequate, method for obtaining the housing and facilities (i.e., buy/lease/borrow) necessary for compliance with part [43](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr43_main_02.tpl).
8. Method for dispatching or obtaining the calibrated equipment needed to make final airworthiness determinations on the work performed.
9. Method for dispatching or obtaining necessary non-calibrated equipment, tools and tooling needed to accomplish the work scope.
10. Method for dispatching or obtaining the necessary maintenance data (maintenance manuals, overhaul manuals, Instructions for Continued Airworthiness, service bulletins, supplemental type certificate data, and other information pertinent to the maintenance, preventive maintenance and alteration activities that is acceptable to or approved by the Administrator).
11. Method for dispatching or obtaining the proper replacement items (e.g., parts, subassemblies) and materials (e.g., raw metals, solvents) and services (e.g., heat treat, welding). If the items are not dispatched from the fixed location, include the methodology for receiving, performing incoming inspection, handling and storage of items that will be used or installed.
12. If the use of hazardous materials is involved, or may be involved, the methodology for ensuring proper compliance with § [145.165](http://www.ecfr.gov/cgi-bin/text-idx?SID=dc230ae07bf356177f2dd39fd2ec4bf0&node=14:3.0.1.2.19.4.3.9&rgn=div8) regarding an employer training program and air carrier notification.
13. Method for performing initial, in-process and final inspections of the articles being worked on, if different from the methodology used at the fixed location. If different forms are used to record activities, they would be included in the repair station’s forms manual (see § [145.211(c)(3)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.5.3.6&rgn=div8)).
14. Method for tracking and recording maintenance performed for the owner of the article being maintained (e.g., logbook) and for the repair station. If different maintenance records will be used by the repair station, they would be included in the repair station’s forms manual (see § [145.211(c)(3)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.5.3.7&rgn=div8)).
15. After reviewing the procedures and verifying that the work will not be performed on a recurring basis, and only under the special circumstances specifically set forth in the procedures, the FAA will provide the repair station a letter stating that the procedure meets the requirements of § [145.203(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=3e9f206dab666babbe889e0700e4f48f&node=14:3.0.1.2.19.5.3.2&rgn=div8).

When the FAA determines that the work may be accomplished away from the fixed location due to special circumstances, it may also provide parameters or limitations on the maintenance, preventive maintenance and alterations being contemplated to ensure compliance with parts [43](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr43_main_02.tpl) and [145](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr145_main_02.tpl).

1. The letter authorizing the use of the repair station procedures should be kept as long as the privilege is exercised.

# WORKING AWAY ON A RECURRING BASIS

1. [Section 145.203(b)](http://www.ecfr.gov/cgi-bin/text-idx?SID=3e9f206dab666babbe889e0700e4f48f&node=14:3.0.1.2.19.5.3.2&rgn=div8) states that a certificated repair station may perform *work* away from its fixed location on a recurring basis provided the repair station's manual contains the requisite procedures (see § [145.209(f)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.5.3.6&rgn=div8)). Some situations and circumstances include:
   1. A repair station with multiple known locations where it will actually perform work. These multiple known sites are temporary when employees arrive and *perform work* on a sporadic, but recurring basis.
   2. A repair station with multiple known locations for handling administrative functions; the actual work is performed at another location or many other locations.
   3. A repair station using mobile units dispatched by or from a known location to multiple sites to perform work.
   4. A repair station that performs intermittent but recurring work where aircraft owners and operators have suitable housing facilities, or access to suitable housing and/or facilities.
   5. Receiving authority or permission from an owner/lessee of appropriate housing and/or facilities that permit the certificated repair station to perform work at that site (e.g., another certificated repair station, FBO, or hangar facility) for a temporary period of time or on an as needed basis.
   6. Performing warranty work on customer aircraft on a recurring basis, wherever the aircraft may be located.
   7. Positioning employees in strategic business locations to support expected demand from customers in the area. The work may or may not be performed at the strategic location; in any event it will be sporadic and recurring.
2. The procedures must ensure the maintenance, preventive maintenance, alterations, or specialized service is performed in compliance with part [43](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr43_main_02.tpl).
3. Procedures appropriate for controlling work conducted away from the fixed location on a recurring basis would include:
   1. The work scope is within the rating(s) and capability. This may be accomplished in the manner set forth in the repair station manual. If the repair station maintains a capability list, it may need to distinguish between work that may be accomplished at particular sites or situations from work that may be accomplished at the fixed location. Self-assessment forms may need to be adjusted to ensure proper limitations are placed on particular work or particular locations.
   2. Method for generating work orders for the scope, nature, location and extent of work anticipated.
   3. Method for communication between and among personnel in the field and the repair station. The communication methodology needs to ensure the ability to transmit voice and data on a consistent basis. The ability to transmit verbal instruction and written documents is essential to establishing and maintaining continuous compliance with parts [43](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr43_main_02.tpl) and [145](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr145_main_02.tpl).
   4. Method for analyzing the qualifications of personnel and dispatching or obtaining the personnel required for the scope and type of work anticipated and performed. Consider:
4. General knowledge (through training and experience) and capability requirements (see §§ [145.151](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.1&rgn=div8) and [145.163](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.8&rgn=div8)),
5. The requirement for individual certification of supervisors and persons authorized to approve work for return to service (see §§ [145.153](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.2&rgn=div8) and [145.157](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.4&rgn=div8)), and
6. The requirements for knowledgeable and capable inspectors (see § [145.155](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.3&rgn=div8)).
   1. Methodology for ensuring employment summaries (see § [145.161(a)(4)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.7&rgn=div8)) and rosters (see § [145.161(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.4.3.7&rgn=div8)) are kept current, and that the repair station manual reflects the appropriate duties, responsibilities and authority of management (supervisory, inspection and approval for return to service personnel) for persons authorized to work away from the fixed location (see § [145.209(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.5.3.6&rgn=div8)).
   2. Method for verifying the extent and nature of available housing and facilities; if inadequate, method for obtaining the housing and facilities (i.e., buy/lease/borrow) necessary for compliance with part [43](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&tpl=/ecfrbrowse/Title14/14cfr43_main_02.tpl).
   3. Method for dispatching or obtaining the calibrated equipment needed to make final airworthiness determinations on the work performed.
   4. Method for dispatching or obtaining necessary non-calibrated equipment, tools and tooling needed to accomplish the work scope.
   5. Method for dispatching to or obtaining the necessary maintenance data (maintenance manuals, overhaul manuals, Instructions for Continued Airworthiness, service bulletins, supplemental type certificate data, and other information pertinent to the maintenance, preventive maintenance and alteration activities that is acceptable to or approved by the Administrator).
   6. Method for dispatching or obtaining the proper replacement items (e.g., parts, subassemblies) and materials (e.g., raw metals, solvents) and services (e.g., heat treat, welding). If the items are not dispatched from the fixed location, include the methodology for receiving, performing incoming inspection, handling and storage of items that will be used or installed.
   7. If hazardous material may or will be involved, the methodology for ensuring proper compliance with § [145.165](http://www.ecfr.gov/cgi-bin/text-idx?SID=dc230ae07bf356177f2dd39fd2ec4bf0&node=14:3.0.1.2.19.4.3.9&rgn=div8) regarding an employer training program and air carrier notification.
   8. Method for performing preliminary, hidden damage, in-process and final inspections of the articles being worked on, if different from the methodology used at the fixed location. If different forms are used to record activities, they would be included in the repair station’s forms manual (see § [145.211(c)(3)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.5.3.7&rgn=div8)).
   9. Method for tracking and recording maintenance performed for the owner of the article being maintained (e.g., logbook) and for the repair station. If different maintenance records will be used for the repair station, they would be included in the repair station’s forms manual (see § [145.211(c)(3)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b3582c74acb3153b052063a5f57a19c8&node=14:3.0.1.2.19.5.3.7&rgn=div8)).
7. If the work away from the fixed location will be performed using mobile units, the following additional procedures are appropriate.
   1. Method for determining the location of each project or mobile unit upon request.
   2. Method for specifying and updating a point of contact for each unit.

# TEMPORARY TO PERMANENT

1. When a repair station is electing to perform work away from its fixed location on a sporadic, recurring basis as part of day-to-day business and pursuant to § [145.203(b)](http://www.ecfr.gov/cgi-bin/text-idx?SID=424a9f22144b3acac808ad48ca0be277&mc=true&node=se14.3.145_1203&rgn=div8), it is important to maintain the temporary aspect. A temporary location may be considered and/or become permanent, depending upon the individual facts and circumstances. The focus of the query is on the *actual location where work will be and is performed*.
2. Is the repair station leasing space *to perform work*, and, if so, what is the type and duration of the work and/or the lease? Leasing space for administrative matters where no maintenance functions will occur is different than leasing housing or facilities for accomplishing maintenance, preventive maintenance or alterations. Similarly, leasing or obtaining permission to use housing or facilities on an “as needed, as available” basis also does not make the location permanent. When the leased premises are used to perform on a *continuous[[1]](#footnote-1)* basis, the site will become permanent.
3. Is the location merely convenient to where work will be performed? Is the space being used to process paperwork, receive instructions and parts from a site and to accomplish other administrative functions? These activities do not create a fixed location unless maintenance functions are continuously being performed on the specific premises.
4. The fact that local personnel are used does not make the location where work is actually going to be performed fixed. Similarly, if employees are using the authority of individual certificates alternatively with the authority of a repair station certificate
5. Registering with the applicable state authority to obtain authorization to transact business in the state of the temporary location does not create a fixed location. It does not mean work will be performed at the location. States require businesses to register for a variety of reasons; some are merely monetary rather than an indication that the place where work is being performed is fixed.
6. Whether the repair station is holding itself out as regularly doing business from or at the specific site, e.g., placing advertisements for customers to come to the temporary location to have maintenance services actually performed. Making services available to a territory or area is different from advertising an actual location where work will be performed.
7. Whether the repair station pays taxes in the state does not indicate the location is where work is performed.

# WORKING INTERNATIONALLY

As a reminder, this advisory is applicable to U.S. and foreign-based repair stations that do not otherwise have a bilateral agreement with the United States. (see paragraph II). Repair stations located in countries that have a bilateral agreement should reference that agreement for applicable working away procedures.

* 1. Work performed in countries without a U.S. bilateral agreement.

1. Work on U.S.-registered articles.

Aviation safety regulations are not the only legal obligations that must be investigated when working in a foreign country. In addition to domestic technical data exchange and security requirements that may apply, each country will have visitation and work parameters, financial remuneration and exchange, security and intellectual property requirements, among other laws to explore for compliance issues.

1. Work on foreign-registered articles.

Maintenance of aircraft and components of foreign-registered aircraft is controlled by each country’s requirements unless a bilateral relationship with technical implementation procedures has been instituted. Therefore, foreign-based repair stations that have received a part 145 air agency certificate from the FAA without the benefit of a bilateral may use this Advisory.

Under most bilateral and technical agreements, the acceptance or certificate from the “foreign” country depends upon the repair station (or approved maintenance organization) certificate holder complying with its domestic aviation safety authority’s requirements. The “foreign” country’s jurisdiction will depend upon whether the non-compliance is with the domestic requirements or the special conditions imposed by bilateral technical agreements. For example—

* 1. Work performed in countries with a U.S. bilateral agreement.

1. Canada
   1. For U.S.-based repair stations, the [bilateral aviation safety agreement and maintenance implementation procedures](http://www.faa.gov/aircraft/air_cert/international/bilateral_agreements/baa_basa_listing/) do not allow work on Canadian-registered articles *in Canada*. The agreement only covers work performed on the other’s civil aviation articles while in the repair station or approved maintenance organization’s country (see [Maintenance Implementation Procedures](http://www.faa.gov/aircraft/repair/media/mip_can.pdf), paragraph 2.0).
   2. Similarly, for Canadian-based repair stations, the agreement does not allow work on U.S.-registered aircraft located in the United States (see [Maintenance Implementation Procedures](http://www.faa.gov/aircraft/repair/media/mip_can.pdf), paragraph 2.0).
2. European Union
   1. For U.S.-based repair stations, the [EU/U.S. bilateral and maintenance annex guidance](http://easa.europa.eu/document-library/bilateral-agreements/eu-usa) allows work on European-registered articles located outside the U.S.—
3. For one-time special circumstances, when it makes application to EASA in advance, or
4. On a recurring basis when the organization has work away procedures in its repair station manual, has the appropriate paragraph D100 authorization in its FAA-issued OpsSpecs and sends proper notification to EASA.
   1. For European-based repair stations, the [EU/U.S. bilateral and maintenance annex guidance](http://easa.europa.eu/document-library/bilateral-agreements/eu-usa) allows work on U.S.-registered articles located in the U.S. for one-time special circumstances or on a recurring basis when—
5. It makes application to FAA in advance, or
6. It has work away procedures in its repair station manual and the appropriate paragraph D100 authorization in its FAA-issued OpsSpecs.

1. Uninterrupted in time; without cessation. [↑](#footnote-ref-1)