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November 21, 2007

VIA E-MAIL

James Ballough
Manager
Flight Standards Division (AFS-1)
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, DC 20591-0004

Jim.ballough@faa.gov

Re: Limitations on Issuance of Repairman Certificates

Dear Mr. Ballough:

The Aeronautical Repair Station Association (ARSA) is writing to request the Federal Aviation Administration (FAA) remove the prohibition in Flight Standards Information Management System (FSIMS) paragraph 5-1193C.1) which forbids a repairman certificate being issued for an "airframe and/or powerplant rating".

The troublesome paragraph states:

- 1) In no instance should a repairman certificate be issued with an airframe and/or powerplant rating to circumvent the process of obtaining a mechanic certificate. If a repairman certificate has been issued with airframe and/or powerplant ratings, request that the airman surrender the certificate. Issue a repairman certificate with the appropriate privileges and limitations.

ARSA researched Title 49 United State Code (49 U.S.C.) to determine whether the statute distinguishes between the types of individual certificates that may be issued by the FAA for performing certain maintenance duties and responsibilities. We were unable to find any support in the law for prohibiting the issuance of either a repairman certificate or a mechanic certificate provided an individual is appropriately qualified.

ARSA does not believe that the prohibition set forth in the FSIMS is justified by concern over air safety. Rather the Association believes it emanates from a misunderstanding of the term airman and the unsupported contention that a repairman certificate is an unfit substitute for a mechanic certificate.

Section 40102 of 49 U.S.C. defines:

- (8) "airman" means an individual—
 - (A) in command, or as pilot, mechanic, or member of the crew, who navigates aircraft when under way;

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- (B) except to the extent the Administrator of the Federal Aviation Administration may provide otherwise for individuals employed outside the United States, who is directly in charge of inspecting, maintaining, overhauling, or repairing aircraft, aircraft engines, propellers, or appliances; or
- (C) who serves as an aircraft dispatcher or air traffic control-tower operator.
(Emphasis added.)

The section, which is supported by 14 CFR parts 121, 135 and 145, requires individuals directly in charge of the performance of maintenance and alteration tasks to be certificated. Indeed, 14 CFR parts 121, 135 and 145¹ also require individuals authorized to approve work for return to service to hold a certificate under 14 CFR part 65.

Section 44703 of 49 U.S.C. provides direction on the issuance of airman certificates by stating:

- (a) **General.**—The Administrator of the Federal Aviation Administration shall issue an airman certificate to an individual when the Administrator finds, after investigation, that the individual is qualified for, and physically able to perform the duties related to, the position to be authorized by the certificate.
- (b) **Contents.**—
 - (1) An airman certificate shall—
 - (A) be numbered and recorded by the Administrator of the Federal Aviation Administration;
 - (B) contain the name, address, and description of the individual to whom the certificate is issued;
 - (C) contain terms the Administrator decides are necessary to ensure safety in air commerce, including terms on the duration of the certificate, periodic or special examinations, and tests of physical fitness;
 - (D) specify the capacity in which the holder of the certificate may serve as an airman with respect to an aircraft; and
 - (E) designate the class the certificate covers. (Emphasis added.)

Section (b)(1) of the law does not distinguish between the types of certificates that may be issued to individuals that qualify for the specific duties. A mechanic certificate should certainly be preferable to an individual since it would allow s/he to work at any air carrier or repair station. However, if the person has the proper qualifications and does not wish to obtain a mechanic certificate, there is no legal prohibition against that person opting for a repairman certificate if the employer is in agreement.

¹ See, 14 CFR §§ 121.378, 135.435, 121.709, 135.443, 145.153, and 145.157.

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Therefore, we request the FAA eliminate the paragraph reference above as well as paragraph 5-1193C.2) which lists the "types" of repairman certificates that can or should be issued.

To expedite accomplishment of this request, we have attached a draft revision to FSIMS paragraphs 5-1191 through 5-1198 with tracked changes. The changes suggested clarify the fact that a repairman is an airman and also correct some typographical errors contained in the current version. Finally, the Association has added queries to certain portions of those paragraphs for further review and clarification by the FAA.

Please let us know if you have any questions or desire additional information.

Sincerely,

A handwritten signature in blue ink that reads "Sarah MacLeod". The signature is fluid and cursive, with the first name "Sarah" and last name "MacLeod" clearly legible.

Sarah MacLeod
Executive Director

cc: Daniel Bachelder (AFS-340)
Rick Domingo (AFS-301)
Rebecca MacPherson (AGC-200)

5-1191 PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODES.

A. Maintenance. 3510.

B. Avionics. 5510.

C. Job Task Analysis (JTA). 3.1.23.

5-1192 OBJECTIVE. This section provides guidance and describes procedures for certificating applicants for repairman certificates and added privileges in accordance with Title 14 of the Code of Federal Regulations ([14 CFR](#)) [section](#) (§) 63.103.

5-1193 GENERAL.

A. [Repairmen are airmen under the Federal Aviation Act's definition of that term.](#) Applicants for repairman certification are employed by repair stations or air carriers [and may only work under the privileges of the repair station or air carrier for which they are employed.](#) [Eighteen months of practical experience or formal training appropriate for the position satisfactory to the FAA,](#) are [acceptable bases](#) for issuance of a repairman certificate. [Further,](#) applicants must be at least 18 years of age and able to read, write, speak, and understand English.

1) According to [14 CFR § 145.159](#), a [repair station](#) may choose to use repairmen to meet the applicable personnel requirements [for certificated individuals](#) within the repair station. [Additionally, air carriers may choose to request repairman certificates for employees assigned to be directly in charge of maintenance under 14 CFR §§ 121.378 or 135.435 or to issue an airworthiness releases or make log entries under 14 CFR § 121.709 or 135.443.](#)

2) An air carrier or repair station may assign an applicant employee to a position [that requires the services of an airman, which include any of the following duties or responsibilities:](#)

- Responsibility for the work of a shop or department that performs maintenance.
- [Assigned to supervise personnel unfamiliar with the work being performed.](#)
- [Authorization to issue an approval for return to service for a repair station.](#)
- Authorization to sign the airworthiness release or log entry according to the air carrier's manual.
- Performance of [required inspection item](#) inspections [set forth](#) by the air carrier.

3) [An individual](#) employed by an air carrier that also holds a repair station certificate may apply for one [repairman](#) certificate [provided](#) the [job](#) duties are the same [under both the repair station and air carrier certificate.](#) The Airmen Certification Branch (AFS-760) will issue one certificate with the same privileges listing [both the air carrier and the repair station certificate](#) in the limitations section. If a repairman is employed [by](#) either the [air carrier](#) or the repair

station and subsequently wishes to have the other added to the repairman certificate, certification will be handled as an added privilege.

4) A repairman employed and certificated by more than one repair station or air carrier, where the employers are distinctly different business entities, will need a separate airman certificate for each repair station or air carrier.

5) A repairman employed by a repair station at different locations listed on its certificate or which holds satellite certificates may serve in any station in that system in accordance with § 145.107(b).

B. With each request for a certificate/rating, an applicant should submit the following:

1) One copy of Federal Aviation Administration (FAA) Form 8610-2, Airman Certificate and/or Rating Application, with items I through IV completed. Applicants should check the box for Repairman Certificate and indicate the privileges sought.

2) A positive form of picture identification, such as a driver's license, passport, or military ID. ASIs should record the identification method in the remarks section on the back of the FAA Form 8610.2 application.

3) A letter of recommendation from the applicant's employer clearly stating that the applicant meets the requirements 14 CFR § 65.101. The letter should describe the job(s) the applicant will perform or supervise as a repairman.

C. Repairman ratings should coincide with duties performed for the air carrier or the ratings issued at the repair station limited to the specific job for which the person is employed to perform or supervise.

5-1194 PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites. Knowledge of the regulatory requirements of 14 CFR parts 43, 65, and 145.

B. Coordination. This task may require coordination between maintenance and avionics aviation safety inspectors (ASI).

5-1195 REFERENCES, FORMS, AND JOB AIDS.

A. References.

- Advisory Circular (AC) 6524, Certification of a Repairman (General), current edition
- FAA Order 8610.4, Aviation Mechanic Examiner Handbook (PLEASE VERIFY THAT THIS IS A CORRECT CITE NOW THAT THE FSIMS IS AROUND!)

B. Forms.

- FAA Form 8610-2, Airman Certificate and/or Rating Application
- FAA Form 8060-4, Temporary Airman Certificate

C. Job Aids.

- Figure 5-138, Instructions for Completing a Temporary Airman Certificate
- JTA: 1.2.2

5-1196 PROCEDURES.

A. Verify Eligibility. Ensure that the applicant is at least 18 years of age and reads, writes, speaks, and understands English.

B. Review Application and Letter of Recommendation.

1) Ensure that the applicant checks the box for Repairman Certificate and indicates the privilege(s) sought on the front of FAA Form 8610-2. Determine if the applicant meets the requirements of [14 CFR § 65.101](#).

NOTE: AFS-760 no longer requires that the “Applicant’s Certification,” A or B, on the reverse side of FAA Form 8610-2, be filled out for a Repairman Certificate.

2) Verify that the letter of recommendation [is from a current employer and](#) contains the following elements:

- [Defines the job\(s\) for which the applicant is employed.](#)
- A certification that the applicant meets the requirements [for](#) the privilege(s)/limitation(s) sought.
- A statement recommending the applicant for the privilege(s)/limitation(s) sought.

5-1197 TASK OUTCOMES.

A. Complete PTRS.

B. Issue Certificate. When it has been determined that the applicant meets all the requirements for certification, sign the application as approved and complete FAA Form 8060-4 in duplicate.

1) Use of the term “Pending” on FAA Form 8060-4 is a valid certificate number when the applicant has not held a permanent numbered certificate. Otherwise, enter the permanent certificate number.

2) Social Security numbers are not to be used.

NOTE: The reverse side of FAA Form 8060-4, Temporary Airman Certificate, contains conditions of issuance and further states it is an interim certificate subject to approval of the Federal Aviation Administration pending issue of a certificate of greater duration and as such the use of "Pending" during this interim period is considered tantamount to a digital numbered certificate for the purpose of the recording requirements found in [14 CFR part 43](#). (ARSA IS CONFUSED BY THIS NOTE, THERE ARE NO "RECORDING REQUIREMENTS" IN PART 43 FOR THE REPAIRMAN; THE CERTIFICATE IS ONLY GOOD WHEN USED UNDER AND/OR FOR THE AIR CARRIER OR THE REPAIR STATION. THE CERTIFICATE THAT APPROVES MAINTENANCE FOR RETURN TO SERVICE UNDER 14 CFR § 43.9 OR 43.11 WOULD BE THE AIR CARRIER OR THE REPAIR STATION CERTIFICATE NOT THE REPAIRMAN CERTIFICATE. IF THE AIR CARRIER REQUIRES THE CERTIFICATE NUMBER OF THE INDIVIDUAL TO BE USED THAT IS NOT A REQUIREMENT OF PART 43.)

3) Check the Airman Information portion of the National Vitals Information Subsystem (NVIS) to determine whether the applicant already possesses a certificate. An applicant seeking added privileges to an existing certificate must surrender the applicable Airman Certificate, FAA Form 8610-2, held at the time of application approval.

4) Give the applicant a copy of FAA Form 8060-4. Both the applicant and the ASI must sign this form.

5) Complete the ASI's report portion on the reverse side of FAA Form 8610-2.

6) Send the original FAA Form 8610-2, the letter of recommendation, Airman Certificate (for an added privilege, as applicable), and the original FAA Form 8060-4 to AFS-760.

C. Deny Certificate. If the application is disapproved, return it to the applicant with a letter explaining the denial.

5-1198 FUTURE ACTIVITIES.

A. Records Review. Review repair station and air carrier records to determine if the scope of the applicant's employment is consistent with the job described in the letter of recommendation.

B. Surrendered Certificates. Send Airman Certificates surrendered in accordance with [14 CFR § 65.15\(c\)](#) to AFS-760 with a brief statement relating to the circumstances.

C. Change of Address, Name, Gender, or Nationality.

1) The holder of an airman certificate issued under part [65](#) must notify the FAA in writing within 30 days after any change in permanent mailing address. AC Form 8060-55, change of address, can be used. Also ensure directions or a map is furnished if a Post Office Box or Rural Route is used.

2) Application for a name change or gender change on a certificate must be made in person at a FSDO Flight Standards District Office. Application is made by completing section I and section IV of FAA Form 8610-2 and should be accompanied by appropriate documents verifying the change, such as court order stating name or gender change, copy of marriage license, divorce decree, birth certificate, or other state approved document upholding the name or gender change. The applicant's current certificate should accompany the application. The applicant will be issued a temporary certificate for use while awaiting the changes.

3) The application for a change to nationality will be made by a letter signed by the certificate holder, or in the case of a rating change by a new application and made in person at the FSDO. The application will indicate the name and location of the court, the date of naturalization, and the docket number. Under no circumstances will the Naturalization papers be copied.

RESERVED. Paragraphs 5-1199 through 5-1215.

Figure 5-138, Instructions for Completing a Temporary Airman Certificate

To issue FAA Form 8060-4, Temporary Airman Certificate, for an application to work at a repair station, fill out the form as indicated below:

A. In Item III, type the social security number, or if an exclusive number is requested, type the word "Pending."

B. In Item IX, type the word "Repairman."

C. In Item XII, type the following: "Certificate privileges of [14 CFR § 65.103](#) valid for [applicable privileges] while employed by [name of repair station, city, state]."

D. In Item XIII, type the repair station certificate number.