

## § 21.215

certificated in the normal, utility, acrobatic, commuter, or transport category.

[Doc. No. 5085, 29 FR 14571, Oct. 24, 1964, as amended by Amdt. 21-59, 52 FR 1836, Jan. 15, 1987; Amdt. 21-79, 66 FR 21066, Apr. 27, 2001]

### § 21.215 Application.

Applications for provisional airworthiness certificates must be submitted to the FAA. The application must be accompanied by the pertinent information specified in this subpart.

[Amdt. 21-67, 54 FR 39291, Sept. 25, 1989; 54 FR 52872, Dec. 22, 1989; Doc. No. FAA-2018-0119, Amdt. 21-101, 83 FR 9169, Mar. 5, 2018]

### § 21.217 Duration.

Unless sooner surrendered, superseded, revoked, or otherwise terminated, provisional airworthiness certificates are effective for the duration of the corresponding provisional type certificate, amendment to a provisional type certificate, or provisional amendment to the type certificate.

### § 21.219 Transferability.

Class I provisional airworthiness certificates are not transferable. Class II provisional airworthiness certificates may be transferred to an air carrier eligible to apply for a certificate under § 21.213(b).

### § 21.221 Class I provisional airworthiness certificates.

(a) Except as provided in § 21.225, an applicant is entitled to a Class I provisional airworthiness certificate for an aircraft for which a Class I provisional type certificate has been issued if—

(1) He meets the eligibility requirements of § 21.213 and he complies with this section; and

(2) The FAA finds that there is no feature, characteristic or condition of the aircraft that would make the aircraft unsafe when operated in accordance with the limitations established in §§ 21.81(e) and 91.317 of this subchapter.

(b) The manufacturer must hold a provisional type certificate for the aircraft.

(c) The manufacturer must submit a statement that the aircraft conforms to the type design corresponding to the

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provisional type certificate and has been found by him to be in safe operating condition under all applicable limitations.

(d) The aircraft must be flown at least five hours by the manufacturer.

(e) The aircraft must be supplied with a provisional aircraft flight manual or other document and appropriate placards containing the limitations established by §§ 21.81(e) and 91.317.

[Doc. No. 5085, 29 FR 14571, Oct. 24, 1964, as amended by Amdt. 21-66, 54 FR 34329, Aug. 18, 1989]

### § 21.223 Class II provisional airworthiness certificates.

(a) Except as provided in § 21.225, an applicant is entitled to a Class II provisional airworthiness certificate for an aircraft for which a Class II provisional type certificate has been issued if—

(1) He meets the eligibility requirements of § 21.213 and he complies with this section; and

(2) The FAA finds that there is no feature, characteristic, or condition of the aircraft that would make the aircraft unsafe when operated in accordance with the limitations established in §§ 21.83(h), 91.317, and 121.207 of this chapter.

(b) The applicant must show that a Class II provisional type certificate for the aircraft has been issued to the manufacturer.

(c) The applicant must submit a statement by the manufacturer that the aircraft has been manufactured under a quality system adequate to ensure that the aircraft conforms to the type design corresponding with the provisional type certificate.

(d) The applicant must submit a statement that the aircraft has been found by him to be in a safe operating condition under the applicable limitations.

(e) The aircraft must be flown at least five hours by the manufacturer.

(f) The aircraft must be supplied with a provisional aircraft flight manual containing the limitations established by §§ 21.83(h), 91.317, and 121.207 of this chapter.

[Doc. No. 5085, 29 FR 14571, Oct. 24, 1964, as amended by Amdt. 21-12, 31 FR 13389, Oct. 15, 1966; Amdt. 21-66, 54 FR 34329, Aug. 18, 1989; Amdt. 21-92, 74 FR 53390, Oct. 16, 2009]