

the airplane complies with the applicable requirements of that part.

(h) *New aircraft manufactured under the provisions of § 21.6(b).* An applicant for a standard airworthiness certificate for a new aircraft manufactured under the provisions of § 21.6(b) is entitled to a standard airworthiness certificate if—

(1) The applicant presents evidence to the FAA that the aircraft conforms to a type design approved under a type certificate or supplemental type certificate and to applicable Airworthiness Directives;

(2) The aircraft has been inspected in accordance with the performance rules for a 100-hour inspections set forth in § 43.15 of this chapter and found airworthy by a person specified in paragraph (d)(2) of this section; and

(3) The FAA finds after inspection, that the aircraft conforms to the type design, and is in condition for safe operation.

[Amdt. 21–17, 32 FR 14927, Oct. 28, 1967]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 21.183, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 21.184 Issue of special airworthiness certificates for primary category aircraft.

(a) *New primary category aircraft manufactured under a production certificate.* An applicant for an original, special airworthiness certificate-primary category for a new aircraft that meets the criteria of § 21.24(a)(1), manufactured under a production certificate, including aircraft assembled by another person from a kit provided by the holder of the production certificate and under the supervision and quality control of that holder, is entitled to a special airworthiness certificate without further showing, except that the FAA may inspect the aircraft to determine conformity to the type design and condition for safe operation.

(b) *Imported aircraft.* An applicant for a special airworthiness certificate-primary category for an imported aircraft type certificated under § 21.29 is entitled to a special airworthiness certificate if the civil airworthiness authority of the country in which the aircraft

was manufactured certifies, and the FAA finds after inspection, that the aircraft conforms to an approved type design that meets the criteria of § 21.24(a)(1) and is in a condition for safe operation.

(c) *Aircraft having a current standard airworthiness certificate.* An applicant for a special airworthiness certificate-primary category, for an aircraft having a current standard airworthiness certificate that meets the criteria of § 21.24(a)(1), may obtain the primary category certificate in exchange for its standard airworthiness certificate through the supplemental type certification process. For the purposes of this paragraph, a current standard airworthiness certificate means that the aircraft conforms to its approved normal, utility, or acrobatic type design, complies with all applicable airworthiness directives, has been inspected and found airworthy within the last 12 calendar months in accordance with § 91.409(a)(1) of this chapter, and is found to be in a condition for safe operation by the FAA.

(d) *Other aircraft.* An applicant for a special airworthiness certificate-primary category for an aircraft that meets the criteria of § 21.24(a)(1), and is not covered by paragraph (a), (b), or (c) of this section, is entitled to a special airworthiness certificate if—

(1) The applicant presents evidence to the FAA that the aircraft conforms to an approved primary, normal, utility, or acrobatic type design, including compliance with all applicable airworthiness directives;

(2) The aircraft has been inspected and found airworthy within the past 12 calendar months in accordance with § 91.409(a)(1) of this chapter; and

(3) The aircraft is found by the FAA to conform to an approved type design and to be in a condition for safe operation.

(e) *Multiple-category airworthiness certificates* in the primary category and any other category will not be issued; a primary category aircraft may hold only one airworthiness certificate.

[Doc. No. 23345, 57 FR 41368, Sept. 9, 1992, as amended by Amdt. 21–70, 57 FR 43776, Sept. 22, 1992]