

(ii) For those elements of an evaluation for initial qualification, in accordance with §§ 60.15 and 60.17(c), as determined to be necessary by the NSPM.

(2) The NSPM advises the sponsor that an evaluation is not necessary.

(c) In making the determinations described in paragraph (b) of this section, the NSPM considers factors including the number of continuing qualification evaluations missed, the number of sponsor-conducted quarterly inspections missed, and the care that had been taken of the device since the last evaluation.

§ 60.29 Other losses of qualification and procedures for restoration of qualification.

(a) Except as provided in paragraph (c) of this section, when the NSPM determines that the FSTD no longer meets qualification standards, the following procedure applies:

(1) The NSPM notifies the sponsor in writing that the FSTD no longer meets some or all of its qualification standards.

(2) The NSPM sets a reasonable period (but not less than 7 days) within which the sponsor may submit written information, views, and arguments on the FSTD qualification.

(3) After considering all material presented, the NSPM notifies the sponsor about the determination with regard to the qualification of the FSTD.

(4) When the NSPM notifies the sponsor that some or all of the FSTD is no longer qualified, the action described in the notification becomes effective not less than 30 days after the sponsor receives that notice unless—

(i) The NSPM finds under paragraph (c) of this section that there is an emergency requiring immediate action with respect to safety in air commerce; or

(ii) The sponsor petitions the Executive Director of Flight Standards Service for reconsideration of the NSPM finding under paragraph (b) of this section.

(b) When a sponsor seeks reconsideration of a decision from the NSPM concerning the FSTD qualification, the following procedure applies:

(1) The sponsor must petition for reconsideration of that decision within 30

days of the date that the sponsor receives a notice that some or all of the FSTD is no longer qualified.

(2) The sponsor must address its petition to the Executive Director, Flight Standards Service, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591.

(3) A petition for reconsideration, if filed within the 30-day period, suspends the effectiveness of the determination by the NSPM that the FSTD is no longer qualified unless the NSPM has found, under paragraph (c) of this section, that an emergency exists requiring immediate action with respect to safety in air commerce.

(c) If the NSPM find that an emergency exists requiring immediate action with respect to safety in air commerce that makes the procedures set out in this section impracticable or contrary to the public interest:

(1) The NSPM withdraws qualification of some or all of the FSTD and makes the withdrawal of qualification effective on the day the sponsor receives notice of it.

(2) In the notice to the sponsor, the NSPM articulates the reasons for its finding that an emergency exists requiring immediate action with respect to safety in air transportation or air commerce or that makes it impracticable or contrary to the public interest to stay the effectiveness of the finding.

(d) FSTD qualification lost under paragraph (a) or (c) of this section may be restored when either of the following provisions are met:

(1) The FSTD successfully passes an evaluation for initial qualification, in accordance with §§ 60.15 and 60.17(c) in those circumstances where the NSPM has determined that a full evaluation for initial qualification is necessary; or

(2) The FSTD successfully passes an evaluation for those elements of an initial qualification evaluation, in accordance with §§ 60.15 and 60.17(c), as determined to be necessary by the NSPM.

(e) In making the determinations described in paragraph (d) of this section, the NSPM considers factors including the reason for the loss of qualification, any repairs or replacements that may have to have been completed, the number of continuing qualification evaluations missed, the number of sponsor-