

§ 119.73

of Maintenance, experience in maintaining the same category and class of aircraft as the certificate holder uses; or

(2) Have 3 years of experience within the past 6 years repairing aircraft in a certificated airframe repair station, including 1 year in the capacity of approving aircraft for return to service.

(f) A certificate holder may request a deviation to employ a person who does not meet the appropriate airmen experience requirements, managerial experience requirements, or supervisory experience requirements of this section if the Manager of the Air Transportation Division, AFS-200, or the Manager of the Aircraft Maintenance Division, AFS-300, as appropriate, find that the person has comparable experience, and can effectively perform the functions associated with the position in accordance with the requirements of this chapter and the procedures outlined in the certificate holder's manual. The Administrator may, at any time, terminate any grant of deviation authority issued under this paragraph.

[Doc. No. 28154, 60 FR 65913, Dec. 20, 1995, as amended by Amdt. 119-3, 62 FR 13255, Mar. 19, 1997; Amdt. 119-12, 72 FR 54816, Sept. 27, 2007]

§ 119.73 Employment of former FAA employees.

(a) Except as specified in paragraph (c) of this section, no certificate holder conducting operations under part 121 or 135 of this chapter may knowingly employ or make a contractual arrangement which permits an individual to act as an agent or representative of the certificate holder in any matter before the Federal Aviation Administration if the individual, in the preceding 2 years—

(1) Served as, or was directly responsible for the oversight of, a Flight Standards Service aviation safety inspector; and

(2) Had direct responsibility to inspect, or oversee the inspection of, the operations of the certificate holder.

(b) For the purpose of this section, an individual shall be considered to be acting as an agent or representative of a certificate holder in a matter before the agency if the individual makes any written or oral communication on behalf of the certificate holder to the

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agency (or any of its officers or employees) in connection with a particular matter, whether or not involving a specific party and without regard to whether the individual has participated in, or had responsibility for, the particular matter while serving as a Flight Standards Service aviation safety inspector.

(c) The provisions of this section do not prohibit a certificate holder from knowingly employing or making a contractual arrangement which permits an individual to act as an agent or representative of the certificate holder in any matter before the Federal Aviation Administration if the individual was employed by the certificate holder before October 21, 2011.

[Doc. No. FAA-2008-1154, 76 FR 52235, Aug. 22, 2011]

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