

§ 121.2

14 CFR Ch. I (1–19 Edition)

(b) Each person employed or used by a certificate holder conducting operations under this part including maintenance, preventive maintenance, and alteration of aircraft.

(c) Each person who applies for provisional approval of an Advanced Qualification Program curriculum, curriculum segment, or portion of a curriculum segment under SFAR No. 58 of 14 CFR part 121, and each person employed or used by an air carrier or commercial operator under this part to perform training, qualification, or evaluation functions under an Advanced Qualification Program under SFAR No. 58 of 14 CFR part 121.

(d) Nonstop Commercial Air Tours conducted for compensation or hire in accordance with §119.1(e)(2) of this chapter must comply with drug and alcohol requirements in §§121.455, 121.457, 121.458 and 121.459, and with the provisions of part 136, subpart A of this chapter by September 11, 2007. An operator who does not hold an air carrier certificate or an operating certificate is permitted to use a person who is otherwise authorized to perform aircraft maintenance or preventive maintenance duties and who is not subject to anti-drug and alcohol misuse prevention programs to perform—

(1) Aircraft maintenance or preventive maintenance on the operator's aircraft if the operator would otherwise be required to transport the aircraft more than 50 nautical miles further than the repair point closest to the operator's principal base of operations to obtain these services; or

(2) Emergency repairs on the operator's aircraft if the aircraft cannot be safely operated to a location where an employee subject to FAA-approved programs can perform the repairs.

(e) Each person who is on board an aircraft being operated under this part.

(f) Each person who is an applicant for an Air Carrier Certificate or an Operating Certificate under part 119 of this chapter, when conducting proving tests.

(g) This part also establishes requirements for operators to take actions to

support the continued airworthiness of each airplane.

[Doc. No. 28154, 60 FR 65925, Dec. 20, 1995, as amended by Amdt. 121–328, 72 FR 6912, Feb. 13, 2007; Amdt. 121–336, 72 FR 63411, Nov. 8, 2007]

§ 121.2 Compliance schedule for operators that transition to part 121; certain new entrant operators.

(a) *Applicability.* This section applies to the following:

(1) Each certificate holder that was issued an air carrier or operating certificate and operations specifications under the requirements of part 135 of this chapter or under SFAR No. 38–2 of 14 CFR part 121 before January 19, 1996, and that conducts scheduled passenger-carrying operations with:

(i) Nontransport category turbo-propeller powered airplanes type certificated after December 31, 1964, that have a passenger seat configuration of 10–19 seats;

(ii) Transport category turbo-propeller powered airplanes that have a passenger seat configuration of 20–30 seats; or

(iii) Turbojet engine powered airplanes having a passenger seat configuration of 1–30 seats.

(2) Each person who, after January 19, 1996, applies for or obtains an initial air carrier or operating certificate and operations specifications to conduct scheduled passenger-carrying operations in the kinds of airplanes described in paragraphs (a)(1)(i), (a)(1)(ii), or paragraph (a)(1)(iii) of this section.

(b) *Obtaining operations specifications.* A certificate holder described in paragraph (a)(1) of this section may not, after March 20, 1997, operate an airplane described in paragraphs (a)(1)(i), (a)(1)(ii), or (a)(1)(iii) of this section in scheduled passenger-carrying operations, unless it obtains operations specifications to conduct its scheduled operations under this part on or before March 20, 1997.

(c) *Regular or accelerated compliance.* Except as provided in paragraphs (d), (e), and (i) of this section, each certificate holder described in paragraphs (a)(1) of this section shall comply with each applicable requirement of this part on and after March 20, 1997 or on