

VOLUME 12 INTERNATIONAL AVIATION**CHAPTER 4 PART 129 OPERATIONS****Section 8 Evaluate/Approve a Maintenance Program for U.S.-Registered Aircraft Under Part 129****8.1 GENERAL.**

8.1.1 Purpose. This section provides policy information and guidance that assigned principal inspectors (PI) will use in evaluating and approving a maintenance program for United States (U.S.)-registered aircraft under Title 14 of the Code of Federal Regulations (14 CFR) part 129, § 129.14 and subpart B. This regulation provides the maintenance requirements for U.S.-registered aircraft operated by a foreign air carrier or any foreign person engaged in common carriage solely outside the United States. Each foreign operator of a U.S.-registered aircraft must be sure to maintain its aircraft in accordance with a maintenance program approved by the Administrator (refer to § 129.14(a)).

8.1.2 Scope. This section is applicable to all Federal Aviation Administration (FAA) Flight Standards Service (FS) personnel and International Field Offices (IFO) having responsibilities associated with part 129 foreign air carrier activities and international aviation operations.

8.1.3 Program Tracking and Reporting Subsystem (PTRS) Activity Codes.

~~a) Maintenance: 3302 and 3303.~~

b) Avionics: 5302 and 5303.

8.1.4 Regulatory References. All regulatory references in this section are found in 14 CFR unless otherwise indicated.

8.2 DEFINITIONS. See Volume 12, Chapter 1, Section 1, Definitions, Abbreviations, and Acronyms, for information associated with this section.

8.3 MAINTENANCE PROGRAM.

8.3.1 Responsibility. FAA IFOs are responsible for approving maintenance programs for U.S.-registered aircraft. Any office, other than the assigned IFO, receiving an application from a foreign air carrier must forward it to the appropriate IFO. Each foreign air carrier and each foreign person operating a U.S.-registered aircraft within or outside the United States in common carriage must maintain such aircraft in accordance with its FAA-approved operations specifications (OpSpec).

8.3.2 Consult the Civil Aviation Authority (CAA). The FAA aviation safety inspector (ASI) should consult the operator's CAA during the maintenance program approval process. The IFO PI should request written concurrence from the CAA about the FAA-approved maintenance program.

8.3.3 International Civil Aviation Organization (ICAO) Annex 8, Airworthiness of Aircraft, Chapter 4, Continuing Airworthiness. ICAO Annex 8, Chapter 4, paragraph 4.2.3 states, “determine the continuing airworthiness of an aircraft in relation to the appropriate airworthiness requirements in force for that aircraft.” This requirement applies to both normal and post-repair inspections.

8.4 MAINTENANCE PROGRAM REQUIREMENTS. The operator, using an FAA-approved maintenance program, will ensure that U.S.-registered aircraft will be maintained in an airworthy condition. Refer to Advisory Circular (AC) 129-4, Maintenance Programs for U.S.-Registered Aircraft Operated Under 14 CFR Part 129, for guidance on what an acceptable maintenance program consists of and a complete discussion of how the requirements of ICAO standards contained in Annex 6, Operation of Aircraft, Part I, International Commercial Air Transport, or Part III, International Operations—Helicopters, as appropriate, and in Annex 8 apply to U.S.-registered aircraft operating under part 129. The ICAO standards are adopted as the basis for the FAA-approved maintenance programs. The maintenance program must also meet the minimum requirements of FAA regulations.

Note: A maintenance program under § 129.14(a) may not mirror the scope or complexity of a U.S. Air Carrier Continuous Airworthiness Maintenance Program (CAMP).

8.4.1 Relevant Section. Section 129.14(a) establishes the requirement for having maintenance programs approved by the authorization of OpSpecs; part 43 provides the performance standards for the maintenance function.

8.4.2 Approving the Maintenance Program. The evaluation of the aircraft maintenance programs will be performed by Airworthiness ASIs. Approval of a maintenance program does not constitute approval of a foreign operator’s maintenance facility or capability. The operator is responsible for ensuring that the aircraft is maintained in accordance with its approved maintenance program. Additionally, regulating and overseeing how a foreign operator integrates a U.S.-registered aircraft (including the FAA-approved maintenance program) into its operations and maintenance systems are the responsibility of the State of the Operator under the ICAO Convention on International Civil Aviation. Inspections and surveillance requirements for part 129 can be found in Volume 12, Chapter 4, Sections 10 and 11.

a) The operator’s manual system may consist of two parts that will require specific acceptance and approval.

1) Part one may describe the maintenance program to meet the standards specified by ICAO Annex 6 (example: Maintenance Control Manual (MCM) or General Maintenance Manual (GMM), etc.). This manual addresses the operator’s maintenance organization, administration, and control procedures as they apply to maintaining U.S.-registered aircraft. In some cases, parts of this manual are accepted/approved based on requirements under parts 21, 43, and 91.

2) Part two may describe the aircraft approved maintenance program for each make and model (M/M) of U.S.-registered aircraft operated under § 129.14.

b) Those parts of the operator's manual system (MCM or GMM) that prescribe the maintenance programs processes must be identified by section in order to support the approval/acceptance processes for maintaining a U.S.-registered aircraft. This is one of the most complex areas in the approval process.

1) If the operator's manuals are written or arranged in such a manner that the pertinent parts cannot be readily separated, the operator's entire manual system may be referenced in the approval document. In other cases, the operator may have a single manual (approved by the State of the Operator) that identifies all of the essential processes; other supportive manuals may be standalone procedures/guidance/references.

2) The PI should require the operator to develop additional procedures to support the FAA regulatory requirements and/or ICAO standards (depending on domestic only or international operations) if these are missing from the operator's existing program.

c) The operator's mechanism for adjustment of aircraft approved maintenance time intervals requires an analysis system approved by the State of the Operator. The application to the assigned IFO needs to include supporting data analysis to justify proposed changes with written concurrence by the State of the Operator.

d) The operator's manual(s) may reference other approved documents that address specific tasks (example: an engine manufacturer's manual, Aircraft Maintenance Manual (AMM), etc.). The manual(s) and all supporting referenced material that make up the approved program (under § 129.14) must be written in the English language.

8.4.3 Revision Control.

a) The assigned PI and the foreign operator must agree on a system of revision control. This system of revision control must be part of the approved maintenance program document.

b) Any operator changes to the approved maintenance program require subsequent FAA approval. However, if the operator's CAA, which complies with ICAO standards, approves the revisions and the revisions are not contrary to § 129.14, then the assigned PI may choose to accept the maintenance program revision on that approval basis (example: parts swapping between U.S.-registered aircraft). Open communication between the CAA and FAA must be established.

c) Based on regulatory requirements, some changes will require prior FAA approval and evaluation regardless of whether the CAA approves them, the PI should coordinate with the CAA. For example: A reliability program that permits adjustment to their aircraft maintenance program without further approval from their CAA. Any revision to the operator's manual that changes the administrative procedures controlling this type of program should require prior FAA approval. Conversely, if the CAA directly approves each change to the operator's aircraft maintenance program that is generated by the operator's reliability program, changes to the administrative procedures do not require prior FAA approval.

d) The maintenance program should establish a timeframe within which to notify the FAA of any revision to the approved maintenance program. A copy of the revision must be sent to the responsible IFO for the oversight of the approved maintenance program.

8.4.4 Standards for Recordkeeping.

a) Requirements should be included in the maintenance program under § 129.14. ICAO Annex 6, Part I, Chapter 8, Aeroplane Maintenance, subparagraph 8.4.1 governs the § 129.14 operator's records requirements.

b) To meet the requirements of part 43; part 91, § 91.417; and § 129.14, all maintenance records, documents, entries, and corrective actions must be made in the English language.

8.4.5 Aircraft Maintenance. Aircraft must be maintained by persons authorized under part 43, § 43.3.

Note: Section 43.13 accepts the methods, procedures, and practices prescribed by a maintenance program approved under § 129.14. This allows for the maintenance release certification stated in ICAO Annex 6, Part I, Chapter 8, Paragraph 8.8, Maintenance Release.

8.4.6 Program Adoption. A previously FAA-approved aircraft maintenance program adoption follows the guidelines found in AC 129-4, as applicable.