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Nuts, Bolts, and Electrons

Are You Actively Engaged?

In August 2011, the FAA released a notice of policy that clarified the term "actively engaged" for an IA (Inspection Authorization). Current regulations state (among other requirements) that an IA must be actively engaged in maintaining aircraft for a two-year period before obtaining or renewing an IA. The following series of questions and answers are designed to provide further explanation of the changes.

Why was there a change made?

For many years, the meaning of the term "actively engaged" has confused both ASIs and aviation maintenance personnel alike. Adding to the confusion is the term's lack of definition in Title 14 of the Code of Federal Regulations (14 CFR) and its inconsistent application in various guidance materials. To prevent further confusion, the FAA issued a notice of proposed policy in November 2010, and after careful consideration of nearly 1,000 comments, issued an official notice of policy in August 2011 that provided clarification of the term actively engaged.

Was this a rule change?

No. The notice of policy issued was a clarification of an existing rule, not a rule change. The only changes were made to FAA Order 8900.1, which provides guidance for aviation safety inspectors (ASIs) to issue an initial or renew an existing IA.

What does this mean to me as an IA? What will be different when it comes to renewal?

If you have been successful in meeting the biannual requirements for IA renewal based on the FAA's original understanding of actively engaged (i.e., employed full time in inspecting, overhauling, repairing, preserving, or replacing parts on aircraft consistently), no changes are needed.

By broadening the definition of actively engaged, however, IAs can now meet the actively engaged requirements with part-time or occasional aircraft maintenance activities, regardless of employment status or if the activities are performed infrequently. The actively engaged clarification also extends to those who provide technical or executive supervision of maintenance activities. In each of these cases, however, the FAA has determined that IAs may need to provide evidence or documentation of the work they perform. This includes employment records showing performance or supervision of aircraft maintenance, return to service documents, and/or copies of maintenance record entries.

Previously, the FAA did not consider an IA involved solely in an academic environment as being actively engaged. However, now a technical or part 147 school instructor, who engages in the maintenance of aircraft (or aircraft-related instruction equipment) can be considered actively engaged. Furthermore, individuals employed as a manufacturer's technical representative, maintenance coordinator, or maintenance auditor can also be considered actively engaged depending on the activity demonstrated.

I am a retired IA, but do occasional maintenance on several different WWII-era vintage aircraft in different parts of the country. Can I still be considered actively engaged?

Yes, provided you are able to show that the proper documentation and/or evidence of the maintenance you perform demonstrates that you are actively engaged. The FAA recognizes and values individuals with special expertise (wood structures, fabric coverings, radial engines, etc.) and those that inspect rare or vintage aircraft in rural areas not serviced by an abundance of IAs. Incorporating the need for these specialized skill sets allows the FAA to better value the substantive nature of experience rather than base a determination of IA renewal eligibility strictly on quantity and frequency of aviation maintenance activities.

What if I have a situation that doesn't exactly fit the parameters of actively engaged under its revised definition?

In developing the policy statement, the FAA could not list out every situation that could be interpreted as being actively engaged. That approach

may exclude situations that an ASI would otherwise determine as meeting the requirements. Instead, ASIs will have the ability to examine any supporting documentation and/or other evidence to determine if a certain situation meets the requirements for being actively engaged.

Does this affect me if I am an AMT, but not an IA?

The parameters for being actively engaged only apply to those either renewing, or applying to be an IA. For an AMT pursuing an IA, he/she may now apply the broader definition of actively engaged to satisfy the two-year eligibility requirement as stated in 14 CFR section 65.91(c)(2).

What type of documentation must I present to prove I meet the requirements of being actively engaged?

When required, documentation could include records showing performance or supervision of aircraft maintenance, return to service documents, and copies of maintenance record entries (e.g., Form 337, maintenance logbook entries, equipment lists). The FAA expects documentation will establish an applicant's continued contributions to the aviation industry and ability to demonstrate compliance with 14 CFR section 65.91(c)(1)-(4).

When will this change take effect?

The FAA will make this policy effective for the next inspector renewal cycle in March 2013 to allow IAs and aviation safety inspectors adequate time to participate in the required activity. IAs are issued for two years and expire on March 31 of odd-numbered years.

Why can't attending training satisfy the requirements for being actively engaged?

While an IA can satisfy the 14 CFR section 65.93 two-year renewal requirements with eight-hour training classes and/or oral exams, he/she must still meet the requirements of 14 CFR section 65.91 (1)-(4), which includes being actively engaged for at least the two-year period prior to the renewal. The requirements for being actively engaged are designed to provide IAs (and IA candidates) with a level of knowledge and active experience needed to perform in a safe and professional manner. While training is an excellent method of sharpening a mechanic's knowledge base and helping him/her learn about new technologies, by itself it cannot replace the skills and hands-on experience gained by being directly involved with aircraft maintenance activities. Therefore, being actively engaged (while having been expanded to include those with specialized experience or those performing in a supervisory or instructor capacity) must still entail direct involvement in aircraft maintenance activities beyond just training.

The actively engaged issue is complex, but going forward, the FAA hopes to continue to foster a professional emphasis for the IA as the backbone of general aviation maintenance. For more information, you can view the new notice of policy on the Federal Register at: www.gpo.gov/fdsys/pkg/FR-2011-08-04/pdf/2011-19741.pdf.

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