

Regulatory Research Guide

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(I) INTRODUCTION

This guide is a research tool for anyone working in or associated with the U.S. civil aviation industry. In most aviation companies, civil aviation regulatory law is “practiced” by engineers, quality control and quality assurance personnel. These “layman lawyers” – in the place of legal professionals – are often involved in day-to-day compliance decisions.

Whether you produce aviation products or parts, are an owner or operator of aircraft, repair aircraft or components, or sell or purchase civil aviation articles, the [Federal Aviation Administration’s \(FAA\) Code of Federal Regulations \(CFRs\)](#) must be followed. Contract law, whether under military specifications or civil agreements, also dictates performance and quality standards. Additionally, federal and state health, environmental and criminal laws, the [Freedom of Information Act \(FOIA\)](#), the [Hazardous Materials Transportation Act](#), the [Omnibus Transportation Employees Testing Act](#) and the [Independent Safety Board Act](#) are applicable to aviation activities. Although this guide focuses primarily on FAA regulatory issues, all laws must also be kept in mind when making day-to-day decisions.

(II) RESEARCH TOOLS

Untangling regulatory compliance matters demands command of the tools available to research and review them. Section (III) of this Guide chronicles and links to numerous resources while explaining each document type and Section (IV) includes a comprehensive list of online tools. Aviation professionals may use all of these and must invest in remaining up to date on requirements from non-aviation agencies, but for U.S.-based compliance issues the following tools are most important—

- The electronic Code of Federal Regulations (eCFR) is a government managed website providing navigation of the CFR. It allows users to browse the rules, make historical comparisons, search for keywords and access rulemaking updates related to any current regulation. www.ecfr.gov. Rules promulgated by the FAA can be found in Title [14](#), with those from the Department of Transportation in Title [49](#).
- The Dynamic Regulatory System (DRS) is an FAA-managed online “knowledge center” for regulation and guidance material. Users may search more than two million documents of 65 types, including all of those listed in section (III)(C) below: drs.faa.gov.

(III) THE REGULATORY BACKBONE

This guide provides information on how to find statutes, rules and related advisory and guidance materials issued by the United States government pertaining to aviation safety and related activities.

(A) LAWS

Statutes are created by the legislative branch of the federal government (i.e., Congress). After they are signed by the president, the laws are included in the [United States Code](#). The law that created the FAA (the [Federal Aviation Act of 1958](#)) and that dictates its powers and limitations can be found in [49 United States Code \(USC\)](#).

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Other [Public laws](#) (P.L.) can be found on government websites, most notably, the [National Archives](#). A simple internet search for the “P.L.” number will reveal several sources, including [Cornell University](#) (each section of the code includes notes a references, which describe relevant amendments and authorities).

(B) FEDERAL REGULATIONS

Title 49 of the CFR ([49 CFR](#)) covers many Department of Transportation (DOT) activities, including the transportation of hazardous materials under Subtitle [B](#), Chapter [I](#) parts [105](#) to [199](#). Part [7](#) of this title covers the handling of FOIA requests. Subtitle [B](#), Chapter [VIII](#) parts [800](#) through [845](#) govern the reporting and investigation of incidents and accidents to and by the National Transportation Safety Board (NTSB). In Subtitle [B](#), Chapter [XII](#) parts [1500](#) to [1584](#), you will find aviation rules from the Transportation Security Administration (TSA), an agency under the auspices of the [Department of Homeland Security](#).

Title 14 of the CFR ([14 CFR](#)) covers regulations for Aeronautics and Space—

- Chapter [I](#) parts [1](#) through [198](#) govern the certification, operation and maintenance of civil aircraft.
- Chapter [II](#) parts [200](#) through [399](#) cover aviation economic regulation under the jurisdiction of the DOT.
- Chapter [III](#) parts [400](#) through [460](#) govern commercial space.
- Chapter [V](#) parts [1201](#) to [1275](#) is reserved for the National Aeronautics and Space Administration (NASA).
- Chapter [VI](#) parts [1300](#) to [1310](#) control air transportation system stabilization.

The regulations described above can be obtained from the [eCFR](#). They may also be obtained from the [Government Publishing Office \(GPO\)](#).

(C) FAA ADVISORY MATERIALS AND INTERNAL DOCUMENTS.

FAA guidance can be obtained from Advisory Circulars (ACs) or other internal government material such as orders, handbooks, bulletins and notices. Although the latter are directed to FAA employees, they are valuable sources of information on government expectations regarding regulatory compliance. Similarly, government reports and audits, legal interpretations and opinions and federal court decisions can all impact compliance issues and decisions.

(1) ACs

ACs are issued as guidance to the public; they are one means, but *not the only means*, of showing compliance with a particular regulation. Following this guidance is typically “the path of least resistance” since individual FAA inspectors know that compliance with the AC reflects accepted national policy on a given issue.

These documents are available online via the [FAA’s AC database](#) as well as in the [Dynamic Regulatory System](#).

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(2) FAA Internal Documents—Orders, Notices, Bulletins and Policy Memoranda

FAA orders, notices, bulletins and policy memoranda are documents that provide information to FAA employees. These documents are also valuable sources of information on what the FAA expects of certificate holders...but their content *cannot create a compliance requirement* that does not exist in the rules.

The best sources of internal information are searching the internet, using the resources in this document or your aviation trade association. Many orders and notices can be found online in the [Dynamic Regulatory System](#).

(D) FLIGHT STANDARDS INFORMATION

Order 8900.1 “Flight Standards Information Management System (FSIMS)” was established as the repository of all Flight Standards policy and guidance concerning aviation safety inspector (ASI) job tasks. The primary audience for this order is Flight Standards ASIs, their managers and supervisors, and other operational and administrative employees. The aviation industry references the order to see requirements placed by the agency on its employees – such knowledge helps understand nuances of compliance through the instruction given to government personnel. The contents of 8900.1 are available in the [Dynamic Regulatory System](#).

(E) AIRCRAFT CERTIFICATION SERVICE POLICY

Informational documents are issued by the Aircraft Certification Service (AIR) and its divisions. They reflect FAA policy related to the design, manufacturing and certification of civil aviation products, articles and parts. These publications may be obtained online in the [Dynamic Regulatory System](#).

(F) LEGAL INTERPRETATIONS AND CASES

(1) OFFICE OF THE CHIEF COUNSEL LEGAL INTERPRETATIONS

Legal interpretations of the aviation statutes and [14](#) CFR are issued by the Office of the Chief Counsel in FAA headquarters and by the various Regional Counsel’s offices in the nine FAA regions.

The interpretations are typically issued in response to inquiries from the aviation community or from one of the FAA’s own field offices. The agency posts interpretations online through its Office of the Chief Counsel’s Regulations Division—Legal Interpretations & Chief Counsel’s Opinions [page](#) and they may be obtained under the [FOIA](#).

(2) CIVIL PENALTY CASES

Under Federal regulation 14 CFR § 13.[202](#), the Administrator of the FAA serves as the "[decision-maker](#)" on appeals from the decisions of the DOT administrative law judges in civil penalty cases. You can search cases by [Subject](#), [Regulation or Statute](#), [Name](#), or [FAA Order Number](#), and see [cases appealed to Federal Court](#).

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(3) NATIONAL TRANSPORTATION SAFETY BOARD (NTSB) CASES

The final case decisions of the NTSB with regard to an airman or mariner's appeal of action on a certificate are found in [National Transportation Safety Board Decisions](#), an online searchable index. Complete text for decisions issued since mid-1992 is also available in the Adobe Portable Document Format (PDF).

(G) GOVERNMENT REPORTS AND AUDITS

Government agencies undergo federal audits, the results of which are publicly reported to provide correction and instruct the public on performance.

(1) DOT OFFICE OF INSPECTOR GENERAL (OIG)

The [DOT OIG](#) is charged with auditing DOT agencies, including the FAA. It also has the power to investigate DOT agencies for fraud, waste, and abuse. When it exercises its auditing power, the report is provided to the FAA for comment and response. The agency's responses can reflect its interpretation and application of the regulations and internal orders and policy.

Reports on aviation activities can be found on its [website](#).

(2) GOVERNMENT ACCOUNTABILITY OFFICE (GAO)

The [GAO](#) is an arm of the legislative branch and can be directed by Congress to audit an agency's activities. The FAA's responses can reflect its interpretation of a congressional mandate, interpretation or application of the regulations and internal orders and policy.

Reports on FAA audits can be found on its [website](#).

(IV) RESOURCES

Resource	Url
14 CFR	https://www.ecfr.gov/current/title-14
49 CFR	https://www.ecfr.gov/current/title-49
Administrative Procedure Act (5 United States Code)	https://www.law.cornell.edu/uscode/text/5/part-1/chapter-5
Airworthiness Directives	https://drs.faa.gov [Search by selecting "Airworthiness Directives (ADs)" from the browse menu.]
DOT	https://www.transportation.gov
DOT FOIA requests	https://www.transportation.gov/foia
DOT OIG audit reports	https://www.oig.dot.gov/audits
Electronic Code of Federal Regulations	https://www.ecfr.gov

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FAA	https://www.faa.gov
FAA's Civil Penalty Adjudication	https://www.faa.gov/about/office_org/headquarters_offices/agc/practice_areas/adjudication
FAA's Dynamic Regulatory System	https://drs.faa.gov
FAA's Legal Interpretations & Chief Counsel Opinions	https://www.faa.gov/about/office_org/headquarters_offices/agc/practice_areas/regulations/Interpretations/
GAO reports and testimonies	https://www.gao.gov/reports-testimonies
GPO online store	https://bookstore.gpo.gov/
Hazardous Materials Transportation Act	https://www.phmsa.dot.gov/standards-rulemaking/hazmat/federal-hazardous-materials-transportation-law-overview
Independent Safety Board Act of 1974	https://www.ntsbt.gov/legal/Pages/ntsbt_statute.aspx
NTSB Case Decision Database	https://www.ntsbt.gov/legal/alj/Pages/ONOQuery.aspx
Omnibus Transportation Employees Testing Act	https://www.transportation.gov/odapc/omnibus-transportation-employee-testing-act-1991
PHMSA	https://www.phmsa.dot.gov
Title 49 United States Code (Transportation)	https://www.law.cornell.edu/uscode/text/49
United States Code	http://uscode.house.gov/ https://www.law.cornell.edu/uscode/text

(V) ACRONYMS

14 CFR	The title of the Code of Federal Regulations with the federal aviation safety regulations, formerly known as the Federal Aviation Regulations
A&P	Airframe and Powerplant
AAIP	Approved Aircraft Inspection Program
AC	Advisory Circular
ACO	Aircraft Certification Office (FAA)
ACSEP	Aircraft Certification Systems Evaluation Program
AD	Airworthiness Directive
AFS	Flight Standards Service (FAA)
AIR	Aircraft Certification Service (FAA)

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ALJ	Administrative Law Judge
ANSI	American National Standards Institute
APA	Administrative Procedure Act
APU	Auxiliary Power Unit
ASA	Aviation Suppliers Association
ASI	Aviation Safety Inspector
ASAP	Aviation Safety Action Program
ASRP	Aviation Safety Reporting Program
ATOS	Air Transportation Oversight System
AVS	Office of Aviation Safety (FAA)
BAA	Bilateral Airworthiness Agreement
BASA	Bilateral Aviation Safety Agreement
CAA	Civil Aviation Authority
CAB	Civil Aeronautics Board (FAA predecessor)
CAM	Civil Aeronautics Manual (CAB guidance)
CASE	Coordinating Agency for Supplier Evaluation
CFR	Code of Federal Regulations
CMM	Component Maintenance Manual
DAH	Design approval holder
DAR	Designated Airworthiness Representative
DER	Designated Engineering Representative
DMIR	Designated Manufacturing Inspection Representative
DOT	Department of Transportation
EASA	European Union Aviation Safety Agency
ECS	Environmental Control System
EO	Engineering Order
ETOPS	Extended-range Twin-engine Operational Performance Standards
FAA	Federal Aviation Administration
FAR	Federal Acquisition Regulation (no longer Federal Aviation Regulations)
FBI	Federal Bureau of Investigation
FOIA	Freedom of Information Act
FSDO	Flight Standards District Office (FAA)
GPWS	Ground Proximity Warning System
HazMat	Hazardous Materials
HMR	Hazardous Materials Regulations
IA	Inspection Authorization
ICA	Instructions for Continued Airworthiness
ICAO	International Civil Aviation Organization
IFO	International Field Office (FAA)
IPC	Illustrated Parts Catalog
ISO	International Organization for Standardization
JAA	Joint Aviation Authorities (no longer in existence, replaced by EASA)
JAR	Joint Aviation Regulations (no longer in existence, adopted by individual CAAs)
MEL	Minimum Equipment List

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MIDO	Manufacturing Inspection District Office (FAA)
NASA	National Aeronautics and Space Administration
NIST	National Institute of Standards and Testing
NTSB	National Transportation Safety Board
ODA	Organization Designation Authorization
OEM	Original Equipment Manufacturer
OIG	Office of the Inspector General
PAH	Production Approval Holder
PC	Production Certificate
PHMSA	Pipeline and Hazardous Materials Safety Administration
PMA	Parts Manufacturer Approval
RII	Required Inspection Item
RSQM	Repair Station Quality Manual
RTCA	Formerly known as the Radio Technical Commission for Aeronautics
SAE	Society of Automotive Engineers
SDR	Service Difficulty Report
STC	Supplemental Type Certificate
SUP	Suspected Unapproved Part
TC	Type Certificate
TCAS	Traffic Alert and Collision Avoidance System
TSA	Transportation Security Administration
TSOA	Technical Standard Order Authorization
UCC	Uniform Commercial Code
USC	United States Code

(VI) RECORD OF REVISIONS

Issue date	Revision level	Reason for revision	Retraining recommended
02202015	0	Original issue	N
01052016	1	Basic content and organization updates. Change to "Regulatory Research Guide."	N
02072019	1.1	Updates to resource links in Section (III).	N
07272022	1.2	Reorganization and content updates in Sections (I), (II), and (III). Updates to resource links in Section (IV) and acronyms in Section (V).	N
05052023	1.3	Updates to hyperlinks for— <ul style="list-style-type: none"> • (III)(B) Federal Regulations: 14 CFR; 14 CFR Chapter I. • (III)(G)(2) Government Accountability Office: website link for reports on FAA audits. • (IV) Resources: Airworthiness Directives via Dynamic Regulatory System Addition of Section (VII) Guide Distribution List	N

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(VII) GUIDE DISTRIBUTION LIST

Firm personnel will update the content of this guide within five (5) business days of any notification that information contained in it is incorrect or out of date. Updates will also be made annually as determined necessary by review for currency and style; this annual review will include consideration of notifications or suggestions from outside users that do not require immediate action.

Control Number	Assignment	Organization or Location	Method of Distribution*
Master	Public Availability	SharePoint	Updated in firm training resources for attachment to session materials and provision to team and client contacts.
Master	Partner Organizations	HAI	Delivery via email in both .docx and .pdf files for update in Legal Resources available to HAI members.