regulations of the National Transportation Safety Board.

(g) Reports prescribed in paragraph (e) of this section may be submitted by a certificated repair station when the reporting task has been delegated by a part 125 certificate holder, under the provisions of §§ 145.63(d)(2) or 145.79(e)(2) of this chapter. However, the responsibility for ensuring compliance with the provisions of this section may not be delegated by the part 125 certificate holder. The part 125 certificate holder must receive a copy of each report.

7. Section 125.410 is added to read as follows:

§125.410 Structural difficulty reports.

(a) Each certificate holder shall report the occurrence or detection of each failure or defect of each primary structure or principal structural element, as defined in the manufacturer's Maintenance Manual (which includes the aircraft's Structural Repair Manual and other manufacturer's documents that set forth maintenance requirements) related to—

(1) Corrosion that requires rework or blendout that exceeds the manufacturer's Maintenance Manual (MM) allowable limits and requires a repair or a complete or partial replacement of a primary structure or principal structural element;

(2) Cracks that require a repair or a complete or partial replacement of a primary structure or principal structural element;

(3) Disbonding that requires a repair or a complete or partial replacement of a primary structure or principal

structural element;

(4) Failures or defects repaired in accordance with Designated Engineering Representative (DER) data or other approved data not contained in the manufacturer's MM; and

(5) Any crack, fracture, or delamination of a primary structure or principal structural element composed

of composite materials.

(b) In addition to the reports required by paragraph (a) of this section, each certificate holder shall report any other failure or defect in aircraft structure that occurs or is detected at any time if, in its opinion, that failure or defect has endangered or may endanger the safe operation of any aircraft it uses.

(c) Each certificate holder shall submit each report required by this section, as prescribed in paragraphs (a) and (b) of this section, covering each 24-hour period beginning at 0900 local time of each day and ending at 0900 local time on the next day, to a centralized collection point as specified

by the FAA. Each certificate holder also shall make the report data available for examination by the Flight Standards District Office charged with the overall inspection of the certificate holder in a form and manner acceptable to the Administrator. Each report of occurrences during a 24-hour period shall be submitted to the FAA within the next 72 hours. However, a report that is due on Saturday or Sunday may be submitted on the following Monday, and one that is due on a holiday may be submitted on the next work day. For aircraft operating in areas where mail is not collected, reports may be submitted within 24 hours after the aircraft returns to a point where the mail is collected.

(d) The certificate holder shall submit the reports required by this section in an electronic form or another form acceptable to the Administrator. The reports must include the following information listed in paragraph (d)(1) through (d)(6) of this section and should include as much information that is reasonably available for paragraph (d)(7)

of this section:

(1) Manufacturer, model, serial number, and registration number of the aircraft.

(2) The name of the operator.

(3) The nature of the failure or defect and its location.

- (4) The FAA-modified Air Transport Association Specification 100 code (ATA code).
 - (5) The aircraft total time and cycles.

(6) The data and station where the failure or defect was discovered.

(7) Identification of the part or component involved (e.g., manufacturer's part number and serial number) and the time since the last maintenance overhaul, repair, or inspection.

(e) A certificate holder that is also the holder of a Type Certificate (including a Supplemental Type Certificate), a Parts Manufacturer Approval (PMA), or a Technical Standard Order (TSO) authorization or that is a licensee of a Type Certificate need not report a failure, malfunction, or defect under this section if it has reported the failure, malfunction, or defect under § 21.3 of this chapter or under the accident reporting provisions of part 830 of the regulations of the National Transportation Safety Board.

(f) Reports prescribed in paragraph (d) of this section may be submitted by a certificated repair station when the reporting task has been assigned by the part 125 certificate holder under the provisions of §§ 145.63(d)(2) or 145.79(e)(2) of this chapter. However, the responsibility for ensuring compliance with the provisions of this

section may not be delegated by the part 125 certificate holder. The part 125 certificate holder shall receive a copy of each report.

PART 127—CERTIFICATION AND OPERATIONS OF SCHEDULED AIR CARRIERS WITH HELICOPTERS

8. The authority citation for part 127 continues to read as follows:

Authority: 49 U.S.C. app. 1354(a) 1421, 1422, 1423, 1424, 1425, 1430; 49 U.S.C. 106(g).

9. Section 127.313 is revised to read as follows:

§127.313 Operational difficulty reports.

(a) Each air carrier shall report the occurrences or detection of each failure, malfunction, or defect concerning—

(1) Any fire and, when monitored by a related fire-warning system, whether the fire-warning system functioned properly;

(2) Any false fire or smoke warnings that require the use of emergency procedures;

(3) An engine exhaust system that causes damage to an engine, adjacent structure, equipment, or components;

(4) A helicopter component that causes the accumulation or circulation of smoke, vapor, or toxic or noxious fumes requiring the use of emergency procedures;

(5) Any engine flameout or shutdown during ground or flight operations, excluding intentional engine shutdowns during such operations (e.g., flight crew training, test flights, or taxiing to reduce fuel consumption);

(6) A fuel or fuel dumping system that affects fuel flow or causes hazardous

leakage during flight;

(7) Any helicopter component or system that results in aborted takeoffs after initiation of the takeoff or the taking of emergency actions during flight;

(8) Main rotor or auxiliary rotor system; and

- (9) Any emergency evacuation system or component including any exit door, passenger emergency evacuation lighting system, or evacuation equipment that is found to be defective, or that fails to perform the intended function during an actual emergency or during training, testing, maintenance, demonstrations, or inadvertent deployments, excluding failures, malfunctions, or defects that are deferrable according to the Minimum Equipment List as provided for in § 91.213.
- (10) A landing gear extension or retraction, or the opening or closing of landing gear doors during flight;