



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

**ORDER
8130.36**

Date:
06/04/2013

SUBJ: Special Light-Sport Aircraft Audit Program

This order provides guidance and assigns responsibility for the implementation of the Special Light-Sport Aircraft (S-LSA) Audit Program. This program uses Federal Aviation Administration (FAA) aviation safety inspectors to—

1. Conduct audits of S-LSA manufacturers and their associate facilities to determine compliance with Title 14 of the Code of Federal Regulations, FAA-accepted consensus standards, and procedures established to meet those requirements.
2. Analyze audit results to identify national trends that may require developing or revising regulation, policy, or guidance.

A handwritten signature in blue ink, appearing to read "James D. Seipel".

James D. Seipel
Manager
Production and Airworthiness Division, AIR-200

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Chapter 1. General Information

1-1. Purpose of This Order. The Federal Aviation Administration (FAA) is establishing an approach to continued oversight of special light-sport aircraft (S-LSA) manufacturers to enhance aviation safety. This action is based on recommendations from the Light-Sport Aircraft Manufacturers Assessment (LSAMA) Final Report, dated May 17, 2010. The report identified areas needing minor to significant improvement and made recommendations based on assessment data analysis, conclusions, trends, indicators, and industry responses to a questionnaire. The report led to the publication of Issuance of Special Airworthiness Certificates for Light-Sport Category Aircraft; Notice of Policy (77 FR 38463; June 28, 2012) (to be codified at Title 14 of the Code of Federal Regulations (14 CFR) part 21, Certification Procedures for Products and Parts). This notice clarifies original FAA policy of reliance on manufacturers' Statements of Compliance for the issuance of airworthiness certificates for S-LSAs under the provisions of 14 CFR 21.190, Issue of a special airworthiness certificate for a light-sport category aircraft. The notice explains the need for more FAA involvement in the airworthiness certification process for S-LSAs. This order provides guidance and assigns responsibility for the implementation of an S-LSA audit program. This program complements other FAA light-sport aircraft (LSA) policy and guidance initiatives and uses FAA aviation safety inspectors (ASI) to—

a. Conduct audits of S-LSA manufacturers and their associate facilities to determine compliance with 14 CFR, FAA-accepted consensus standards, and procedures established to meet those requirements. Regulations applicable to the production, airworthiness certification, maintenance, and operation of LSAs include but are not limited to 14 CFR parts 1, 21, 43, 45, and 91.

Note: ASIs do not issue airworthiness certificates or special flight permits for LSAs as part of an audit.

b. Analyze audit results to identify national trends that may require developing or revising regulation, policy, or guidance.

Note: The use of the word “should” throughout this order refers to a recommended practice. The associated activity is not a requirement; therefore, a record of completion is not required.

1-2. Audience. Aviation Safety (AVS) S-LSA Audit Program personnel.

1-3. Where Can I Find This Order. You can find this order at http://www.faa.gov/regulations_policies/orders_notices/.

1-4. Definitions.

a. Associate Facility: Any business or individual involved in the manufacture, assembly, or sale of S-LSAs acting individually or on behalf of the manufacturer.

b. New Make/Model Combination: An aircraft for which the make/model combination has not previously received special airworthiness certification in the light-sport category. Information required by 14 CFR 45.11, Marking of products, and § 45.13, Identification data, is used to determine a make/model combination. The “make” is reflected on the aircraft identification plate as the builder’s name. The “model” is reflected on the aircraft identification plate as the model designation assigned by the builder.

c. Light-Sport Aircraft Manufacturer: A person who can attest to meeting the provisions of § 21.190 and demonstrate these abilities to the satisfaction of the FAA.

d. Eligibility Findings: In this order, an eligibility finding is a finding observed during an audit that relates to the design, manufacture, airworthiness certification, operation, and/or maintenance of S-LSAs. An eligibility finding, individually or cumulatively, that demonstrates an aircraft is in an undetermined state of conformance may affect—

(1) The airworthiness certification eligibility of the individual S-LSA, or

(2) The ability of the S-LSA manufacturer to comply with the provisions of FAA Form 8130-15, Light-Sport Aircraft Statement of Compliance.

e. Findings: In this order, a finding is a non-fulfillment of a requirement that is not likely to affect—

(1) The airworthiness certification eligibility of the individual S-LSA, or

(2) The ability of the S-LSA manufacturer to comply with the provisions of FAA Form 8130-15.

f. S-LSA Audit: An audit of an S-LSA manufacturer and its associate facilities to determine compliance with 14 CFR, FAA-accepted consensus standards, and procedures established to meet those requirements.

Chapter 2. S-LSA Audit Program Personnel and Responsibilities

2-1. General. The Aircraft Certification Service, Production and Airworthiness Division (AIR-200), is responsible for the overall management of the S-LSA Audit Program. AIR-200 will inform the International Policy Office (AIR-40) of all international audits. The civil aviation authority (CAA) of countries that have a Bilateral Airworthiness Agreement (BAA) concerning airplanes or Bilateral Aviation Safety Agreement (BASA) with associated implementation procedures for airworthiness concerning airplanes or an equivalent airworthiness agreement with the United States may participate in or observe international S-LSA audits within their jurisdiction. The decision to participate or observe is made by the CAA. AIR-200 will inform all respective CAAs of audits scheduled within their jurisdiction.

2-2. Personnel. The S-LSA Audit Program consists of the following personnel:

- a. An S-LSA Audit Program manager,
- b. ASIs to conduct the audit, and
- c. Support personnel as required.

2-3. Orientation. AIR-200 provides program orientation for S-LSA Audit Program personnel.

2-4. S-LSA Audit Program Manager Responsibilities. The S-LSA Audit Program manager is responsible for—

- a. Managing orientation briefing content and associated orientation activities.
- b. Scheduling S-LSA audits.

2-5. S-LSA Audit Program Personnel Responsibilities. Before participating in an S-LSA audit, program personnel must—

- a. Complete the audit orientation.
- b. Be knowledgeable with the requirements of this order.

Chapter 3. Selection and Scheduling of S-LSA Audits

3-1. S-LSA Audit Scheduling and Prioritization. S-LSA audit schedules will be established using FAA and external S-LSA data and industry information such as new manufacturers and new make/model combinations from established manufacturers. Audit schedules will be based on fiscal year and should represent each class of S-LSA.

3-2. S-LSA Audit Schedule Notification. AIR-200 is responsible for notifying each facility at least 30 calendar days before the start of the audit. If it becomes necessary to reschedule or cancel an event, AIR-200 will notify that manufacturer. For audits of international manufacturers, CAA support may be obtained and documented through a management plan. Audit team leaders have additional responsibilities regarding coordinating audit administrative and logistical information, which is discussed in chapter 4 of this order.

3-3. Selection of S-LSA Auditors. To safeguard against potential conflicts of interest, S-LSA audit team members will not perform audits of facilities where they or designees they supervise have certificated LSAs for special or experimental airworthiness certificates.

3-4. Unscheduled S-LSA Audits (Safety-Related Issues). When safety-related issues regarding the manufacture of S-LSAs require an unscheduled audit, AIR-200 will notify the manufacturer using whatever means necessary to facilitate the coordination of an immediate audit. Steps outlined in this order may be accelerated to accomplish scheduling. Examples of circumstances that could require an unscheduled S-LSA audit include responses to accident/incident investigations, National Transportation Safety Board safety recommendations, notifications from CAAs, or notifications from industry.

Chapter 4. S-LSA Audit Procedures

Section 1. Audit Preparations (Pre-Audit)

4-1. S-LSA Audit Preparations. Before the start of an S-LSA audit, an audit plan will be developed. The audit plan communicates areas of focus for the audit derived from applicable regulatory requirements, consensus standards, data analysis from previous audits, and special emphasis items. The audit plan serves as an organizational tool and assigns responsibilities and areas of focus to individual auditors.

4-2. Team Leader Responsibilities (Pre-Audit). The team leader coordinates with—

- a. The S-LSA Audit Program manager to generate and issue the audit plan;
- b. A representative of the facility to be audited to ensure administrative and logistical arrangements for items such as unrestricted access, escorts, meeting rooms, and safety and security requirements are complete; and
- c. Team members, AIR-40, and CAAs, as needed, to facilitate administrative and logistical travel and audit preparation information.

4-3. S-LSA Audit Meeting. The team leader and all team members meet before starting the audit, usually at the facility to be audited. The pre-audit team meeting is the forum for the team leader to review team assignments and supplement them if necessary.

4-4. International Audit Preparation. When preparing to conduct international audits, the team leader will consult with AIR-40 to determine what considerations and requirements must be addressed to travel, coordinate with CAAs, and conduct audits.

Section 2. How to Conduct the Audit

4-5. Team Leader Responsibilities. The team leader—

a. Conducts the opening meeting with facility representatives. The opening meeting will cover—

- (1) Introductions;
- (2) Attendance rosters, if applicable;
- (3) The audit's scope, process, and objectives;
- (4) Logistics, schedule, and escorts, if applicable;
- (5) An explanation that any information provided to the audit team containing proprietary or confidential information should be marked as such by the manufacturer; and

(6) Arrangements for the daily and/or closeout meeting, and information concerning future coordination or expectations.

b. Conducts daily meetings with facility representatives to—

(1) Provide an ongoing status of observations and concerns.

(2) Encourage open and productive communication.

c. Coordinates with AIR-200 regarding immediate actions required for eligibility findings. Refer to chapter 5 of this order.

d. Ensures team members report nonconforming products. Refer to paragraph 4-7 and chapter 7 of this order.

e. Conducts the closing meeting with facility representatives to—

(1) Summarize the results of the audit.

(2) Provide a summary of findings observed during the audit.

(3) Address expectations for responding to any forthcoming request for corrective action.

(4) Inform the facility representative of their eligibility or ineligibility to receive S-LSA certification or sign the Statement of Compliance (FAA Form 8130-15).

f. Ensures audit results and findings are recorded.

g. Ensures completion of the audit.

4-6. Team Member Responsibilities. Team members—

a. Perform audits of assigned areas outlined in the audit plan.

b. Perform logistical and administrative duties outlined in the audit plan.

c. Record individual audit results.

d. Coordinate with the team leader on all findings.

e. Report nonconforming FAA products through the AVS Quality Management System Information Technology Support.

4-7. Recording Findings. All findings will be documented before the conclusion of the audit. All findings must be entered into the S-LSA audit database, and may be entered during post-audit activities. Data entered in the S-LSA audit database will be analyzed by the audit team to develop corrective action requests, revise policy, and determine future focus areas, eligibility to receive airworthiness certification, eligibility to sign the Statement of Compliance (FAA Form 8130-15), the need for changes to FAA-accepted consensus standards, and if further reporting or compliance action is required.

Section 3. Post-Audit Activities

4-8. Corrective Action and Followup.

a. Post-Audit Letter. Each audit will be followed by a post-audit letter indicating the results of the audit activity. The letter may include communicating the make/model eligibility status in reference to issuance of an airworthiness certificate, or the aircraft manufacturer's ability to complete and certify FAA Form 8130-15. Courtesy copies will be provided to the appropriate office (Manufacturing Inspection District Office (MIDO), Flight Standards District Office (FSDO), or CAA).

b. Request for Corrective Action. Findings discovered during an audit will result in a letter to the manufacturer. The letter will request corrective action for the findings. If the facility being audited is a manufacturer's associate facility, it will receive a copy of the findings applicable to its portion of the audit and a letter explaining its potential supporting role in the manufacturer's required response and resolution process.

c. Verification of Corrective Actions. Onsite verification of corrective actions may occur when it is not possible to confirm corrective actions via written or electronic correspondence or facsimile. The audit team may request the assistance of FAA geographic offices or a CAA for followup activities and verification of corrective actions. Refer to chapter 6 of this order for further information on CAA involvement.

d. Completion Letter. Once findings and corrective actions have been resolved, a letter will be sent to the aircraft's manufacturer confirming completion of the audit and communicating the make/model eligibility status in reference to issuance of an airworthiness certificate, and the manufacturer's ability to complete and certify FAA Form 8130-15.

4-9. S-LSA Audit Data Rollup. AIR-200 will produce an annual S-LSA audit data rollup. The S-LSA audit data rollup is internal to AIR-200. The purpose of the audit data rollup is to provide AIR-200 a vehicle to—

- a.** Measure and improve S-LSA Audit Program processes.
- b.** Measure regulatory compliance.
- c.** Measure regulatory and policy application and effectiveness.
- d.** Measure FAA-accepted consensus standard application and effectiveness.

- e. Identify CFR and consensus standard emphasis areas for future audit cycles.
- f. Track population growth and activity.

4-10. Team Leader or Program Manager Responsibilities (Post-Audit). The team leader or program manager—

- a. Coordinates all followup actions and correspondence with the manufacturer and any involved FAA geographic office or CAA.
- b. Generates and issues corrective actions and followup correspondence.
- c. Provides copies of the letter requesting corrective action to the appropriate office.
- d. Coordinates as required onsite followup activities and verification of corrective actions
- e. Enters corrective action completion and closeout data into the S-LSA audit database.
- f. Ensures notifications required by chapter 6 of this order are completed, when applicable.

4-11. Quality Review of S-LSA (Post-Audit) Correspondence. The S-LSA program manager will—

- a. Review audit team correspondence regarding audit results and letters of request for corrective action.
- b. Review audit team documentation regarding corrective action completion and closeout.
- c. Review audit team correspondence regarding audit completion.

Chapter 5. Processing Audit Findings

5-1. General. When performing an S-LSA audit, findings related to FAA regulations and FAA-accepted consensus standards may be discovered. These types of discoveries require additional actions during and after an audit. Findings may be related to FAA Form 8130-15, FAA regulatory requirements, or consensus standards. Findings may be discovered during audits of the manufacturer's facility or its documentation, or during audits of a completed aircraft.

5-2. Immediate Actions. When an eligibility finding is discovered that directly affects an aircraft or fleet of aircraft, it must be reported to the team leader immediately. The team leader must—

- a. Come to a consensus with the team regarding the details of the eligibility-related issue.
- b. Consult with the Flight Standards Service (AFS) team member(s) regarding any regulatory responsibilities or actions that may need to be considered from an AFS perspective.
- c. Inform AIR-200 management of the eligibility finding and AFS responsibilities. When applicable, AIR-200 management will inform the affected directorate.
- d. Inform the manufacturer of the eligibility finding and the manufacturer's responsibility to comply with the requirements of the consensus standards relating to issuance of a notice of corrective action or safety directive. Immediate action by the manufacturer may mitigate actions taken by the FAA, but the item will be recorded as originally discovered.
- e. Initiate the AIR-200 and/or AFS recommended course(s) of action. This may include but is not limited to—
 - (1) AIR-200 requesting the Small Airplane Directorate (ACE-100) issue a Special Airworthiness Information Bulletin (SAIB). Although an SAIB is advisory in nature, it is an important tool for alerting the aviation community of a potential safety problem. The SAIB can address an unsafe condition on aircraft that do not have type certificates.
 - (2) AIR-200 issuing guidance to withhold new airworthiness certification until the appropriate corrective actions have been accomplished and the conditions are found satisfactory by AIR-200 and/or other involved FAA offices.
 - (3) AIR-200, AFS, or any responsible geographic office initiating actions under FAA Order 2150.3, Compliance and Enforcement Program. This may include—
 - (a) Certificate action under Title 49 of the United States Code § 44709, Amendments, modifications, suspensions, and revocations of certificates, for the existing fleet, or
 - (b) If related to an FAA Form 8130-15, investigation for falsification of records under 14 CFR 21.2, Falsification of applications, reports, or records.

f. Copy the related correspondence to any additionally identified FAA offices determined applicable (such as AFS, MIDOs, and FSDOs) at the conclusion of the audit.

g. Discuss the immediate and followup actions that may or will be taken with the S-LSA manufacturer or associate facility being audited.

h. Record the issue and related discussion details within the body of the audit documentation.

5-3. Corrective Actions. The team leader will ensure all findings are recorded as part of the audit documentation and process them as follows:

a. Come to a consensus with the team regarding the details of the findings.

b. Consult with AFS team member(s) regarding any regulatory responsibilities or actions that may need to be considered from an AFS perspective.

c. Inform the manufacturer of the findings and the manufacturer's responsibility to comply with the requirements of the consensus standard.

d. Inform the manufacturer it is not eligible to complete and certify any FAA Form 8130-15 until all eligibility findings are resolved, or it may be found in violation of § 21.2.

Chapter 6. Coordination with CAAs for S-LSAs Manufactured Outside the United States

6-1. General. Requirements for issuing special airworthiness certificates for an S-LSA can be found in § 21.190. For an aircraft to be eligible, an applicant must provide the FAA—

a. The aircraft's operating instructions, the aircraft's maintenance and inspection procedures, the manufacturer's Statement of Compliance (FAA Form 8130-15), and the aircraft's flight training supplement; and

b. Evidence of meeting the requirements of § 21.190(d)(1) and (2).

6-2. Requesting and Inviting CAA Support. Management plans are a feature of BAAs and BASAs that facilitate requesting technical assistance from CAAs. A CAA's participation or attendance in support of an S-LSA audit is invited but not required. For countries or jurisdictions where the FAA has sufficient experience with the CAA regarding S-LSAs, AIR-200 may request the CAA perform some or all S-LSA audit activities through the management plan. The decision to support the request is at the discretion of the CAA.

6-3. AIR-200 Responsibilities for Notifying and Inviting CAA Support. When the audit team plans to conduct international S-LSA audits, AIR-200 will perform the following activities:

a. For S-LSA manufacturers covered in a management plan with a CAA, AIR-200 should send any notifications as agreed to in the management plan.

b. For all other S-LSA manufacturers, AIR-200 will notify the CAA from the country or jurisdiction where the S-LSA manufacturer is located and invite its participation as an observer. The CAA will be notified in writing at least 30 calendar days before the start of the audit. The notification should be addressed to the production contact for the CAA. A list of CAAs and respective contacts is available from the AIR-40 website.

Appendix A. Administrative Information

1. Distribution. This order is distributed to Washington Headquarters division levels of the Flight Standards Service, the branch levels of the Aircraft Certification Service (AIR), the branch levels in the regional Flight Standards Divisions and Aircraft Certification Directorates, all Flight Standards District Offices, all Aircraft Certification Offices, all AIR field offices, all Manufacturing Inspection District Offices and satellite offices, the Aircraft Certification and Airworthiness Branches at the Federal Aviation Administration (FAA) Academy, and the Flight Standards Service Regulatory Support Division.

2. Delegation of Authority. The AIR Production and Airworthiness Division (AIR-200) is responsible for issuing, revising, or canceling the material in this order.

3. Deviations. Adherence to the procedures in this order is necessary for uniform administration of this directive material. Any deviations from this guidance material must be coordinated and approved by AIR-200. If a deviation becomes necessary, the FAA employee involved should ensure the deviations are substantiated, documented, and concurred with by the appropriate supervisor. The deviation must be submitted to AIR-200 for review and approval. The limits of federal protection for FAA employees are defined by Title 28 of the United States Code § 2679, Exclusiveness of remedy.

4. Related Publications. Orders referenced in this directive list only the basic order number. It is the responsibility of the user to establish the latest revision/amendments are being used.

5. Requests for Information. All public requests for information regarding production approval or certificate management activities will be processed in accordance with the Freedom of Information Act. Refer to FAA Order 1270.1, Freedom of Information Act Program.

6. Electronic Signature. Not applicable.

7. Suggestions for Improvement. Please forward all comments on deficiencies, clarifications, or improvements regarding this order to—

Aircraft Certification Service
Administrative Services Branch, AIR-510
ATTN: Directives Management Officer
800 Independence Avenue SW.
Washington, DC 20591

FAA Form 1320-19, Directive Feedback Information, is located as appendix B to this order for your convenience. If you require an immediate interpretation, please contact AIR-200 at (202) 385-6346; however, you should also complete FAA Form 1320-19 as a followup to the conversation.

8. Records Management. Refer to FAA Order 0000.1, FAA Standard Subject Classification System; 1350.14, Records Management; and 1350.15, Records Organization, Transfer, and Destruction Standards; FAA-IR-04-01, AIR Records Management Requirements Manual; or your office Records Management Officer/Directives Management Officer for guidance regarding retention or disposition of records.

Appendix B. FAA Form 1320-19, Directive Feedback Information



U.S. Department
of Transportation
**Federal Aviation
Administration**

Directive Feedback Information

Please submit any written comments or recommendations for improving this directive, or suggest new items or subjects to be added to it. Also, if you find an error, please tell us about it.

Subject: FAA Order 8130.36

To: Directive Management Officer, AIR-510

(Please check all appropriate line items)

An error (procedural or typographical) has been noted in paragraph _____ on page _____.

Recommend paragraph _____ on page _____ be changed as follows:
(attach separate sheet if necessary)

In a future change to this order, please include coverage on the following subject:
(Briefly describe what you want added)

Other comments:

I would like to discuss the above. Please contact me.

Submitted by: _____ Date: _____

Telephone Number: _____ Routing Symbol: _____

FAA Form 1320-19 (10-98)