DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 25 and 121

[Docket No. 28272; Notice No. 95–9]

RIN 2120–AF21

Revision of Emergency Evacuation Demonstration Procedures To Improve Participant Safety

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to revise the emergency evacuation demonstration procedures requirements for transport category airplanes to allow certain alternative procedures in conducting full-scale emergency evacuation demonstrations. These proposals are in response to recommendations from the Performance Standards Working Group (PSWG) of the Aviation Rulemaking Advisory Committee (ARAC). Additionally, the operational requirements for domestic, flag, and supplemental air carriers and commercial operators of large airplanes would be revised to require each operator to conduct a partial demonstration of emergency evacuation procedures upon initial introduction of a type of model of airplane into passenger-carrying operation. The proposed changes are intended to make full-scale emergency evacuation demonstrations safer for participants, to codify existing practices, and to ensure that each operator demonstrates the effectiveness of crewmember training by conducting at least a partial evacuation demonstration. These proposed changes would affect manufacturers and operators of transport category airplanes.

DATES: Comments must be received on or before October 16, 1995.

ADDRESSES: Comments on this notice may be mailed in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC–200), Docket No. 28272, 800 Independence Avenue SW., Washington, DC 20591; or delivered in triplicate to: Room 915G, 800 Independence Avenue SW., Washington, DC 20591. Comments delivered must be marked Docket No. 28272. Comments may be examined in Room 915G weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. In addition, the FAA is maintaining an information docket of comments in the Transport Airplane Directorate (ANM–100), Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055–4056. Comments in the information docket may be examined weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Franklin Tiangsing, Regulations Branch, ANM–114, Transport Airplane Directorate, Aircraft Certification Service, FAA, 1601 Lind Avenue SW., Renton, WA 98055–4056; telephone (206) 227–2121.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments relating to any environmental, energy, or economic impact that might result from adopting the proposals contained in this notice are invited. Substantive comments should be accompanied by cost estimates. Commenters should identify the regulatory docket or notice number and submit comments in triplicate to the Rules Docket address above. All comments received on or before the closing date for comments will be considered by the Administrator before taking action on this proposed rulemaking. The proposals contained in this notice may be changed in light of comments received. All comments received will be available in the Rules Docket, both before and after the comment period closing date, for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Persons wishing the FAA to acknowledge receipt of their comments must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 28272.'' The postcard will be date stamped and returned to the commenter.

Availability of the NPRM

Any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration (FAA), Office of Public Affairs, Attention: Public Inquiry Center, APA–230, 800 Independence Avenue SW., Washington, DC 20591; or by calling (202) 267–3484. The notice number of this notice of proposed rulemaking (NPRM) must be identified in all communications. Persons interested in being placed on a mailing list for future rulemaking documents should also request a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Background

Part 25 of Title 14 of the Code of Federal Regulations (CFR) contains the airworthiness standards for transport category airplanes. Manufacturers of transport category airplanes must show that each airplane they produce complies with the relevant standards of part 25. These standards apply to airplanes manufactured within the U.S. and to airplanes manufactured in other countries and imported under a bilateral airworthiness agreement. One of the standards that must be met is that of demonstrating that passengers and crewmembers can be evacuated in a timely manner in an emergency. This standard is addressed by the requirements contained in § 25.803 and Appendix J to part 25. This standard is intended to demonstrate emergency evacuation capability under a consistent set of prescribed conditions but is not intended to demonstrate that all passengers can be evacuated under all conceivable emergency conditions.

Part 121 contains the requirements governing the operations of domestic, flag, and supplemental air carriers, and commercial operators of large airplanes. One of the requirements is that the certificate holder must demonstrate the effectiveness of the crewmember training and operating procedures in opening floor level and non floor level exits and deploying the evacuation slides, if installed, in a timely manner.

History of the Emergency Evacuation Regulations

Amendment 121–2, effective March 3, 1965, first introduced the requirements for an emergency evacuation demonstration to the FAA regulations. Entities operating under part 121 of Title 14 of the CFR were required to conduct full-scale emergency evacuation demonstrations using 50 percent of the airplane's exits. Half of the exits were rendered inoperative to simulate the type of emergency where fire, structural, or other adverse condition would prevent those exits from being used. A time limit of 120 seconds was given. The demonstration was required upon initial introduction of a type and model of airplane into passenger carrying operations, an increase of 5 percent or greater in passenger seating capacity, or a major change to the interior arrangement that would affect emergency evacuation. The purposes of the demonstration were to demonstrate the ability of crewmembers

to execute established emergency evacuation procedures, and to ensure realistic assignments of crewmember functions.

Amendment 25–15, effective October 24, 1967, introduced the emergency evacuation requirements into part 25. Newly created § 25.803 required airplane manufacturers to conduct an emergency evacuation demonstration for airplanes with a passenger seating capacity of 44 or more. The purpose of this demonstration was to establish the evacuation capability of the airplane. The time limit for this demonstration was established at 90 seconds. Concurrently, the time limit for the part 121 demonstration was reduced to 90 seconds by Amendment 121–30, also effective October 24, 1967. This reduction was primarily attributable to significant gains made in the efficacy of devices, such as inflatable slides, to assist in the evacuation. The purpose of the part 121 demonstration still focused on crew training and crew procedures so that demonstration conditions remained somewhat different between the two parts.

Section 25.803(d) listed conditions under which analysis could be used in lieu of a full-scale demonstration to demonstrate compliance with the regulation. The section stated that the full-scale demonstration did not have to be repeated for a change in the interior arrangement, or for an increase in passenger capacity of less than five percent, if it could be substantiated by analysis that all occupants could be evacuated in less than 90 seconds.

Amendment 25–46, effective December 1, 1978, revised § 25.803 to allow means other than actual demonstration to show the evacuation capability of the airplane and to replace the existing part 25 demonstration conditions with conditions that would satisfy both part 25 and part 121. In this way, one demonstration could be used to satisfy both requirements. In addition, Amendment 25–46 revised § 25.803 to allow analysis to be used to substantiate compliance for an increase in seating capacity of more than five percent. Part 121 was revised, by Amendment 121–149, effective December 1, 1978, to accept the results of demonstrations conducted in compliance with § 25.803 as of Amendment 25–46.

Amendment 25–72, effective August 20, 1990, placed the demonstration conditions previously listed in § 25.803(c) into a new Appendix J to part 25. This change was done for clarity and editorial consistency with part 121. In addition, emergency escape route requirements formerly contained in § 25.803(e) were transferred to a new § 25.810(c).

Amendment 25–79, effective September 27, 1993, revised Appendix J to part 25 by revising the age/gender mix to be used when conducting an emergency evacuation demonstration, by allowing the use of stands or ramps for descending from overwing exits only when the airplane is not equipped with an off-wing descent means, and by prohibiting the flight crew from taking an active role in assisting in the passenger cabin.

Amendment 121–233, effective September 27, 1993, revised § 121.291(a), (a)(1), and (a)(2) to remove the requirement that the certificate holder conduct a full-scale evacuation demonstration if the airplane type and model had been shown to be in compliance with § 121.219(a) in effect on or after October 24, 1967, or, if during type certification the airplane had been shown to be in compliance with § 25.803 in effect on or after December 1, 1978. Additionally, an actual demonstration could be conducted in accordance with Appendix D to part 121 in effect on or after September 27, 1993, or in accordance with § 25.803 in effect on or after that date.

The Aviation Rulemaking Advisory Committee

The ARAC was formally established by the FAA on January 22, 1991 (56 FR 2190) to provide advice and recommendations to the FAA concerning the full range of the FAA's safety-related rulemaking activity. This advice was sought to develop better rules in less overall time using fewer FAA resources than are currently needed. The committee provides the opportunity for the FAA to obtain firsthand information and insight from interested parties regarding proposed new rules or revisions of existing rules.

There are approximately 60 member organizations on the committee, representing a wide range of interests within the aviation community. Meetings of the committee are open to the public, except as authorized by Section 10(d) of the Federal Advisory Committee Act.

The ARAC establishes working groups to develop proposals to recommend to the FAA for resolving specific issues. Tasks assigned to working groups are published in the **Federal Register**. Working group meetings are not generally open to the public; however, all interested persons are invited to become working group members when the group is formed. Working groups report directly to ARAC, and the ARAC must adopt a working group proposal before that proposal can be presented to the FAA as an ARAC recommendation.

The activities of the ARAC do not, however, circumvent the public rulemaking procedures. After an ARAC recommendation is received and found acceptable by the FAA, the agency proceeds with the normal public rulemaking procedures. Any ARAC participation in a rulemaking package will be fully disclosed in the public docket.

Activities of the Performance Standards Working Group

On May 23, 1991, the first meeting of the ARAC was held in Baltimore, Maryland, pursuant to a notification in the **Federal Register** (56 FR 2190, January 22, 1991).

Members of the ARAC interested in issues involving emergency evacuation met on May 24, 1991, in Baltimore. At that meeting the charter for a working group that would report to ARAC was established as well as the group membership, which includes representatives from airplane and parts manufacturers, pilot, flight attendant and machinist unions, airlines, airworthiness authorities, passenger associations and other public interest groups. This diverse working group includes representatives from the United States, Canada, and Europe. The charter of the working group is to recommend to the ARAC whether new or revised emergency evacuation standards can and should be stated in terms of performance standards rather than design standards. The first meeting of the new PSWG was held on June 26, 1991, and the group has continued to meet on a bi-monthly basis since then.

Following two unsuccessful emergency evacuation demonstrations of an airplane on October 26, 1991, for which increased seating capacity was sought, and during which a participant was seriously injured, the ARAC was tasked by the FAA to work on recommendations for revising the emergency evacuation demonstration requirements and compliance methods to eliminate or minimize the potential for injury to demonstration participants. The ARAC decided to add this task to the charter of the PSWG.

In response to this additional task, the PSWG created a draft report for discussion. The draft report consisted primarily of two significant parts: recommendations of changes that could be made to the current demonstration that would improve participant safety, but that would not alter the basic character of the demonstrations; and, recommendations for when analysis

could be used in lieu of the full scale demonstration, plus an outlined step-by-step methodology for preparing such an analysis. The former recommendation would require a revision to Appendix J to part 25, while the latter recommendations would expand FAA guidance now in Advisory Circular 25.803–1, Emergency Evacuation Demonstrations. The report was revised numerous times, over several PSWG meetings, based on comments from PSWG members. Nonetheless, after numerous attempts to develop a report that was acceptable to all members of the working group, it was determined that a consensus on the full report could not be attained. Areas of disagreement were, however, defined and discussed in an attempt to reach consensus. Representatives of three organizations on the PSWG have written letters stating their objections to the report as finalized. These letters are included as Appendix 2 of the report. In summary, the objectors expressed concern that the committee did not systematically review the causes of injuries in emergency evacuation demonstrations, and thus could not make meaningful recommendations to reduce or eliminate those injuries. Instead, the objectors felt that the committee had concentrated on an approach which would effectively eliminate the full scale demonstration. It should be noted that the comments are primarily aimed at the proposed revisions to the existing advisory circular and not to the revisions to Appendix J of part 25 contained in this NPRM.

The PSWG accepted the report, although a consensus could not be reached on all issues covered in the report, after discussing all items members raised, including the letters of objection. The report was forwarded to the ARAC on January 28, 1993, and accepted by that body with one negative vote. The vote was taken after an opportunity was given to all members to raise questions or to discuss any item in the report. The ARAC then tasked the PSWG to draft the appropriate rulemaking document and revise the advisory material as recommended in the report. This NPRM covers the recommended revisions to part 25 covered in the report, ''Emergency Evacuation Requirements and Compliance Methods that Would Eliminate or Minimize the Potential for Injury to Full Scale Evacuation Demonstration Participants.'' A copy of the report has been placed in the docket for examination by interested parties.

Harmonization With the Joint Aviation Authorities (JAA)

This document has not been formally harmonized with the JAA in that the JAA has not agreed, as yet, to proceed with parallel rulemaking. A representative of the JAA, however, has been involved with the PSWG since its inception; and the views of the JAA representative have been considered in the development of this notice. Additionally, a representative of the JAA participated as a member of the PSWG writing group, which produced the report noted above upon which this notice is based.

Injuries During Full Scale Emergency Evacuation Demonstrations

Hundreds of people jumping out of an airplane in simulated dark of night conditions onto inflated slides, sliding as many as 25 feet to the ground below, can result in some injuries. As stated in the report, FAA records (''An FAA Analysis of Aircraft Emergency Evacuation Demonstrations: 1982, Society of Automotive Engineers Technical Paper Series #821486 by Sharon A. Barthelmess) noted 166 injuries to participants in a sampling of seven full scale evacuation demonstrations conducted between 1972 and 1980, involving 2,571 passengers and crewmembers. Additionally, a review of 19 full scale evacuation demonstrations during the 1972–1991 time frame identified 269 injuries among 5,797 passengers and crewmembers. Detailed descriptions of most of the injuries discussed above are not available. Not all the injuries, therefore, could be classified as to their severity. Some injuries have been serious; however, the majority probably would not be classified as serious (see 49 CFR 830.2 for injury classification definitions). To date, the most serious injury has resulted in paralysis.

Discussion of the Proposals

The FAA proposes amending Appendix J to part 25, as recommended by the ARAC, to reduce the possibility of injury to participants in a full-scale emergency evacuation demonstration and to codify existing practice regarding airplanes equipped with overwing slides.

Paragraph (a) of Appendix J would be amended to allow exterior light levels of 0.3 foot-candles or less prior to the activation of the airplane emergency lighting system in lieu of the currently required ''dark of night'' conditions. The proposed light level is approximately the level that would be found in the passenger cabin when the emergency lighting system is the only source of illumination. Allowing this low level lighting outside the airplane will enhance the ability of the demonstration director to see and react more quickly to problems that may develop during the demonstration. While this would not prevent injuries incurred at the onset of the problems, it could result in reducing the number of injuries by halting the demonstration sooner than in the past. Tests were not run to ascertain whether or not such exterior ambient lighting would enhance or detract from evacuation performance, since it was considered that crew performance, escape system efficiency, and illumination provided by the airplane emergency lighting system have the predominant impact on evacuation performance.

Paragraph (p) would be revised to allow exits with inflatable slides to have the slides deployed and available for use prior to the start of the demonstration timing. If this method is used, the exit preparation time, which would be established in separate component tests, would need to be accounted for in some manner. This change would prevent what has occurred in at least two instances, a participant exiting the airplane before the slide was fully available for use. Neither participant was seriously injured; however, if this were to occur again, the potential for serious injury would remain. An additional benefit is that slides being pre-deployed and inflated would not be subject to damage from equipment, such as light stanchions, that is near the airplane only because a demonstration is being run. The predeployment and inflation of slides also allows the proper placement and opportunity for inspection of safety mats around the slide prior to the start of the demonstration. Additionally, the paragraph would be revised to require that the exits that are not used in the demonstration must be clearly indicated once the demonstration has started. This revision to the regulation would contain wording more general than currently in the rule to accommodate the additional flexibility in exit configuration (slide stowed or pre-deployed and inflated) allowed by this proposal. Finally, the opening sentence in the paragraph would be revised to more succinctly describe the exits that are to be used in the demonstration. The exit pairs in the proposed regulation are as required in the passenger seating tables in § 25.807(d). As in the past, exits that are not installed in pairs, typically tail cone or ventral exits, would not be used in the demonstration. This proposal is in

response to numerous requests to the FAA for clarification of the existing text.

Paragraph (f) would be revised to remove the requirement that each external door and exit be in the takeoff configuration. This proposal is a result of the proposed change to paragraph (p), noted above, which would allow slides to be deployed and inflated prior to the start of the demonstration. If the option to predeploy the slide is selected by the applicant, an agreement must be reached with the FAA prior to the demonstration regarding how to prevent demonstration participants from determining which exits will be used in the demonstration, as well as when, how, and by whom the covers (a likely solution to the issue) in the doorways will be removed and the impact on the resulting times for each of the used exits. Internal doors would still be required to be in takeoff configuration.

Paragraph (o) would be revised to state more generally the intent of the requirement rather than requiring specific actions. The intent is that participants inside the airplane should not be able to identify, prior to the start of the demonstration, which exits will be used during the demonstration. Although this may be made more difficult by the proposed change to paragraph (p), this change is not specifically related to reducing injuries.

Paragraph (n) would be revised to allow passengers to be briefed on safety procedures that are in place for the particular demonstration, e.g., demonstration abort procedures, or procedures that have to do with the demonstration site, e.g., how to evacuate the building in which the demonstration is being conducted, and to note when that briefing could take place. This briefing would be useful by stopping some participants from adding to an already potential injurious situation in the event of problems, such as a collapsed evacuation slide, occurring during the demonstration, or by providing information that would be helpful in case of a problem at the demonstration site, e.g., a fire in the building. The briefing would have to be carefully constructed so as not to impart any information that would enable the participants to evacuate the airplane faster. Additionally, the appropriate time for the passenger briefing required by § 121.571 has been added.

One of the ARAC recommendations, that paragraph (c) be amended to allow the use of stands or ramps for overwing exits only if assist means are not required as part of the airplane type design, is not being proposed because that change has already been implemented by Amendment 25–79.

Another of the recommendations, involving revising the age/gender mix to require using only the age/gender groups least susceptible to injury, is not being proposed at this time, pending research to identify the groups and develop an appropriate mix. A group of participants based on the new mix would have the same evacuation capability as a group based on the existing mix. This possible future proposal would be in addition to the recent change to the mix promulgated by Amendment 25–79.

In addition to the amendments to part 25 proposed in this notice, revisions to Advisory Circular (AC) 25.803–1, Emergency Evacuation Demonstrations, are proposed in response to the recommendations contained in the ARAC report. Advisory Circular 25.803–1 provides guidelines that the FAA has found acceptable regarding emergency evacuation demonstrations. Public comments concerning the proposed revisions to AC 25.803 will be invited by separate notice.

Finally, although not recommended by the ARAC, the FAA has determined that a revision to § 121.291(b)(1) is necessary to accommodate the revision to § 121.291(a), (a)(1), and (a)(2) promulgated by Amendment 121–233, and the proposed change to paragraph (p) of Appendix J to part 25 contained herein. Amendment 121–233 allows a certificate holder to conduct a full-scale emergency evacuation demonstration in accordance with § 25.803 in effect on or after September 27, 1993. The proposed revision to paragraph (p) of Appendix J to part 25 would allow the full-scale emergency evacuation to be run with exits opened and slides deployed and inflated prior to the start of the demonstration. If this proposal were to be incorporated into part 25, it would then be possible for a certificate holder to conduct a full-scale emergency evacuation demonstration without having to have the flight attendants open the exits and deploy the exit slides, if installed. The efficacy of the certificate holder's training and line operating procedures regarding the exits and slides would, therefore, not be demonstrated.

The FAA proposes to remove the qualifying phrase ''if the certificate holder has not conducted an actual demonstration under paragraph (a) of this section'' from § 121.291(b)(1), thereby requiring each certificate holder to conduct at least a partial demonstration of emergency evacuation procedures for each new type and model of airplane placed into passenger-carrying service. The FAA considers this a necessary and significant demonstration that must be accomplished prior to any new airplane type and model being placed into passenger-carrying service by every certificate holder. This proposal would require a certificate holder to conduct a partial demonstration, even if the certificate holder ran a full-scale evacuation demonstration with the exits in the takeoff and landing configuration. It is extremely unlikely that a certificate holder would voluntarily choose to conduct a full-scale demonstration in lieu of utilizing the results of the airplane manufacturer's demonstration as part of showing compliance with § 25.803, considering the considerable expense of a full-scale evacuation demonstration versus the minimal expense of a partial evacuation demonstration.

Regualtory Evaluation Summary

Proposed changes to Federal regulations must undergo several economic analyses. First, Executive Order 12866 directs that each Federal agency shall propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 requires agencies to analyze the economic impact of regulatory changes on small entities. Third, the Office of Management and Budget directs agencies to assess the effect of regulatory changes on international trade. In conducting these analyses, the FAA has determined that this rule: (1) would generate benefits that would justify its costs, but is a ''significant regulatory action'' as defined in the Executive Order; (2) is ''significant'' as defined in DOT's Policies and Procedures; (3) would not have a significant impact on a substantial number of small entities; and (4) would not have a negative impact on international trade. These analyses, available in the docket, are summarized below.

The proposed rule would not necessarily result in additional compliance costs, because it would allow alternative procedures in conducting demonstrations, rather than mandating them. If manufacturers elect to use the proposed procedures, however, the FAA estimates that there would be incremental costs of approximately $1,100 per transport airplane certification.

The primary benefit of the proposed rule would be reduced risks of injuries to demonstration participants. Allowing low-level exterior light would enhance the ability of the demonstration director to react more quickly to problems which

could develop during the demonstration. Pre-deploying and inflating slides would prevent participants from injuring themselves by exiting the airplane before the slides are fully available for use.

The FAA reviewed 19 demonstrations conducted between 1972 and 1991. Of the 5,797 participants in the demonstrations, 269, or 4.6 percent, were injured. In the seven demonstrations for which there was information on the types of injuries, 13 suffered fractures, 63 sprains or strains, 32 contusions, and 108 suffered lacerations or abrasions, a total of 216 people injured.

In one of these demonstrations, a participant was seriously injured. In general, however, fractures, sprains, strains, contusions, lacerations, and abrasions are generally classified as ''minor'' or ''moderate,'' according to the abbreviated injury scale (AIS) used by the National Transportation Safety Board (NTSB). The FAA estimates that the average costs of a minor injury are $6,900 and the average costs of a moderate injury are $44,000. Avoiding only one minor injury during an evacuation demonstration would result in cost savings exceeding the estimated $1,100 incremental costs of the proposed alternative procedures. The FAA has determined, therefore, that the proposed rule would be cost-beneficial.

Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (RFA) was enacted by Congress to ensure that small entities are not unnecessarily and disproportionately burdened by Federal regulations. The RFA requires a Regulatory Flexibility Analysis if a proposed rule would have a significant economic impact, either positive or negative, on a substantial number of small entities. Based on FAA Order 2100.14A, Regulatory Flexibility Criteria and Guidance, the FAA has determined that the proposed amendments would not have a significant economic impact on a substantial number of small entities because no small entities would be affected.

International Trade Impact Assessment

The proposed rule would not constitute a barrier to international trade, including the export of American airplanes to foreign countries and the import of foreign airplanes into the Untied States.

Federalism Implications

The regulations proposed herein would not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Thus, in accordance with Executive Order 12612, it is determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Conclusion

Although the proposed changes to revise the emergency evacuation demonstration requirements of part 25 of the FAR are not expected to result in substantial economic cost, the FAA has determined that this proposed regulation would be ''significant'' under Executive Order 12866, and ''significant'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 25, 1979) because of the public interest involved. Since there are no small entities affected by this proposed rulemaking, the FAA certifies that the rule, at promulgation, would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the regulatory evaluation prepared for this project may be examined in the Rules Docket or obtained from the person identified under the caption **FOR FURTHER INFORMATION COTNACT.**

List of Subjects

14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

14 CFR Part 121

Air carriers, Aircraft, Airmen, Aviation safety, Reporting and recordkeeping requirements, Safety, Transportation.

The Proposed Amendments

Accordingly, the Federal Aviation Administration (FAA) proposes to amend 14 CFR parts 25 and 121 of the Federal Aviation Regulations (FAR) as follows:

PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

1. The authority citation for part 25 is revised to read as follows:

Authority: 49 U.S.C. 106(g), 40110, 40113, 44701, 44702, 44711, 44713; 49 CFR 1.47(a).

2. By amending Appendix J to part 25 by revising paragraphs (a), (f), (n), (o), and (p) to read as follows:

Appendix J to Part 25—Emergency Evacuation

* * * * *

(a) The emergency evacuation must be conducted with exterior ambient light levels of 0.3 foot-candles or less, prior to the evacuation of the airplane emergency lighting system. The source(s) of the initial exterior ambient light level may remain active or illuminated during the actual demonstration. There must, however, be no increase in the exterior ambient light level except for that due to activation of the airplane emergency lighting system.

* * * * *

(f) Each internal door or curtain must be in the takeoff configuration.

* * * * *

(n) Prior to entering the demonstration aircraft, the passengers may also be advised to follow directions of crewmembers but not be instructed on the procedures to be followed in the demonstration, except with respect to safety procedures in place for the demonstration or that have to do with the demonstration site. Prior to the start of the demonstration, the pre-takeoff passenger briefing required by § 121.571 of this chapter may be given. Flight attendants may assign demonstration subjects to assist persons from the bottom of a slide, consistent with their approved training program.

(o) The airplane must be configured to prevent closure of the active emergency exits to demonstration participants in the airplane, until the start of the demonstration.

(p) Exits used in the demonstration will consist of one exit from each exit pair. The demonstration may be conducted with the escape slides, if provided, inflated and the exits open at the beginning of the demonstration. In this case, all exists will be configured such that the active exits are not disclosed to the occupants. If this method is used, the exit preparation time for each exit utilized must be accounted for, and exits that are not to be used in the demonstration must not be indicated before the demonstration has started. The exits to be used must be representative of all of the emergency exits on the airplane and must be designated by the applicant, subject to approval by the Administrator. At least one floor level exit must be used.

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PART 121—CERTIFICATION AND OPERATIONS; DOMESTIC FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

3. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40101, 40105, 40113, 44701–44702, and 44704–44705.

4. By amending § 121.291 by revising paragraph (b)(1) to read as follows:

§ 121.291 Demonstration of emergency evacuation procedures.

* * * * *

(b) * * *

(1) Initial introduction of a type and model of airplane into passenger-carrying operation;

* * * * *

Issued in Washington, D.C. on July 11, 1995.

Thomas E. McSweeny,

Director, Aircraft Certification Service.

[FR Doc. 95–17392 Filed 7–17–95; 8:45 am]

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