

§ 125.328

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briefed on when, where, and under what conditions the safety belt must be fastened about him or her. This briefing shall include a statement that the Federal Aviation Regulations require passenger compliance with lighted passenger information signs and crewmember instructions concerning the use of safety belts.

(3) The placement of seat backs in an upright position before takeoff and landing;

(4) Location and means for opening the passenger entry door and emergency exits;

(5) Location of survival equipment;

(6) If the flight involves extended overwater operation, ditching procedures and the use of required flotation equipment;

(7) If the flight involves operations above 12,000 feet MSL, the normal and emergency use of oxygen; and

(8) Location and operation of fire extinguishers.

(b) Before each takeoff, the pilot in command shall ensure that each person who may need the assistance of another person to move expeditiously to an exit if an emergency occurs and that person's attendant, if any, has received a briefing as to the procedures to be followed if an evacuation occurs. This paragraph does not apply to a person who has been given a briefing before a previous leg of a flight in the same airplane.

(c) The oral briefing required by paragraph (a) of this section shall be given by the pilot in command or a member of the crew. It shall be supplemented by printed cards for the use of each passenger containing—

(1) A diagram and method of operating the emergency exits; and

(2) Other instructions necessary for the use of emergency equipment on board the airplane.

Each card used under this paragraph must be carried in the airplane in locations convenient for the use of each passenger and must contain information that is appropriate to the airplane on which it is to be used.

(d) The certificate holder shall describe in its manual the procedure to be followed in the briefing required by paragraph (a) of this section.

(e) If the airplane does not proceed directly over water after takeoff, no part of the briefing required by paragraph (a)(6) of this section has to be given before takeoff but the briefing required by paragraph (a)(6) must be given before reaching the overwater part of the flight.

[Doc. No. 19779, 45 FR 67235, Oct. 9, 1980, as amended by Amdt. 125–17, 57 FR 42675, Sept. 15, 1992]

§ 125.328 Prohibition on crew interference.

No person may assault, threaten, intimidate, or interfere with a crewmember in the performance of the crewmember's duties aboard an aircraft being operated under this part.

[Doc. No. FAA–1998–4954, 64 FR 1080, Jan. 7, 1999]

§ 125.329 Minimum altitudes for use of autopilot.

(a) Except as provided in paragraphs (b), (c), (d), and (e) of this section, no person may use an autopilot at an altitude above the terrain which is less than 500 feet or less than twice the maximum altitude loss specified in the approved Airplane Flight Manual or equivalent for a malfunction of the autopilot, whichever is higher.

(b) When using an instrument approach facility other than ILS, no person may use an autopilot at an altitude above the terrain that is less than 50 feet below the approved minimum descent altitude for that procedure, or less than twice the maximum loss specified in the approved Airplane Flight Manual or equivalent for a malfunction of the autopilot under approach conditions, whichever is higher.

(c) For ILS approaches when reported weather conditions are less than the basic weather conditions in §91.155 of this chapter, no person may use an autopilot with an approach coupler at an altitude above the terrain that is less than 50 feet above the terrain, or the maximum altitude loss specified in the approved Airplane Flight Manual or equivalent for the malfunction of the autopilot with approach coupler, whichever is higher.

(d) Without regard to paragraph (a), (b), or (c) of this section, the Administrator may issue operations specifications to allow the use, to touchdown, of an approved flight control guidance system with automatic capability, if—

(1) The system does not contain any altitude loss (above zero) specified in the approved Airplane Flight Manual or equivalent for malfunction of the autopilot with approach coupler; and

(2) The Administrator finds that the use of the system to touchdown will not otherwise adversely affect the safety standards of this section.

(e) Notwithstanding paragraph (a) of this section, the Administrator issues operations specifications to allow the use of an approved autopilot system with automatic capability during the takeoff and initial climb phase of flight provided:

(1) The Airplane Flight Manual specifies a minimum altitude engagement certification restriction;

(2) The system is not engaged prior to the minimum engagement certification restriction specified in the Airplane Flight Manual or an altitude specified by the Administrator, whichever is higher; and

(3) The Administrator finds that the use of the system will not otherwise affect the safety standards required by this section.

[Doc. No. 19779, 45 FR 67325, Oct. 9, 1980, as amended by Amdt. 125-12, 54 FR 34332, Aug. 18, 1989; Amdt. 125-29, 62 FR 27922, May 21, 1997]

§ 125.331 Carriage of persons without compliance with the passenger-carrying provisions of this part.

The following persons may be carried aboard an airplane without complying with the passenger-carrying requirements of this part:

(a) A crewmember.

(b) A person necessary for the safe handling of animals on the airplane.

(c) A person necessary for the safe handling of hazardous materials (as defined in subchapter C of title 49 CFR).

(d) A person performing duty as a security or honor guard accompanying a shipment made by or under the authority of the U.S. Government.

(e) A military courier or a military route supervisor carried by a military

cargo contract operator if that carriage is specifically authorized by the appropriate military service.

(f) An authorized representative of the Administrator conducting an en route inspection.

(g) A person authorized by the Administrator.

§ 125.333 Stowage of food, beverage, and passenger service equipment during airplane movement on the surface, takeoff, and landing.

(a) No certificate holder may move an airplane on the surface, take off, or land when any food, beverage, or tableware furnished by the certificate holder is located at any passenger seat.

(b) No certificate holder may move an airplane on the surface, take off, or land unless each food and beverage tray and seat back tray table is secured in its stowed position.

(c) No certificate holder may permit an airplane to move on the surface, take off, or land unless each passenger serving cart is secured in its stowed position.

(d) Each passenger shall comply with instructions given by a crewmember with regard to compliance with this section.

[Doc. No. 26142, 57 FR 42675, Sept. 15, 1992]

Subpart K—Flight Release Rules

§ 125.351 Flight release authority.

(a) No person may start a flight without authority from the person authorized by the certificate holder to exercise operational control over the flight.

(b) No person may start a flight unless the pilot in command or the person authorized by the certificate holder to exercise operational control over the flight has executed a flight release setting forth the conditions under which the flight will be conducted. The pilot in command may sign the flight release only when both the pilot in command and the person authorized to exercise operational control believe the flight can be made safely, unless the pilot in command is authorized by the certificate holder to exercise operational control and execute the flight release without the approval of any other person.