

**VI.A.11. Subpart P—Aircraft Dispatcher Qualifications and Duty Time Limitations: Domestic and Flag Operations**

Requirements for dispatch systems and aircraft dispatcher qualifications are discussed in Section V.F., Dispatch system.

**VI.A.12. Subparts Q, R, and S—Flight Time Limitations and Rest Requirements: Domestic, Flag, and Supplemental Operations**

Requirements for flight time limits and rest requirements are discussed in Section V.D., Flight time limits and rest requirements.

**VI.A.13. Subpart T—Flight Operations**

**Operational control.** Sections 121.533 and 121.535 require each domestic and flag operation to be responsible for operational control and specify the responsibilities for aircraft dispatchers and pilots for each flight release. No comments were received on these sections and the final rule is adopted as proposed; however, related comments on dispatch system requirements are discussed in Section V.F., Dispatch system.

**Admission to flight deck.** Section 121.547 specifies who may be admitted to the flight deck of a passenger-carrying airplane. The part 121 section is similar to § 135.75 but provides for additional types of persons who may be admitted. FAA proposed that affected commuters comply with part 121. No comments were received concerning this section and the final rule is adopted as proposed.

**Flying equipment.** Section 121.549(b) requires that each crewmember shall, on each flight, have readily available for his or her use, a flashlight that is in good working order. This is a new requirement for 10- to 30-passenger seat airplanes for co-pilots that was not specifically discussed in Notice No. 95-5. No comments were received and the final rule remains as proposed.

**Emergency procedures.** Parts 121 and 135 require that, when the certificate holder or PIC knows of conditions that are a hazard to safe operations, the operation must be restricted or suspended until the hazardous conditions are corrected. For a discussion of this issue, see "Emergency Operations (Proposed §§ 119.57 and 119.58)" later in this preamble.

**Briefing passengers before takeoff.** The FAA proposed to amend § 121.571(a) to bring over from § 135.117 requirements for additional passenger information for airplanes with no flight attendant. This additional information

includes instructions on location of survival equipment, normal and emergency use of oxygen equipment for flights above 12,000 MSL, location and operation of fire extinguishers, and placement of seat backs in an upright position for takeoffs and landings. The FAA proposed that the affected commuters otherwise comply with the part 121 rules on passenger information. The printed cards would need to be revised or supplemented to provide information on flotation cushions or other required flotation devices once these devices are installed.

A small change was proposed for § 121.571(a)(3) to allow a flight crewmember (instead of a flight attendant) to provide an individual briefing of a person who may need assistance in the event of an emergency, in cases where an airplane does not have a flight attendant.

**Comments:** AACA disagrees with the FAA's cost estimate for the required passenger information cards and briefings. The commenter states that the FAA's cost estimate appears to be low. Alaskan air carriers would need to devise a more comprehensive information system due to the many nationalities and native languages in Alaska. Many local passengers are not native speakers of English or are not fluent in its comprehension. Briefing cards must be painstakingly translated into many Alaskan Native languages at great expense. Some air carriers have also had to translate into Japanese, Korean, and Russian for tourists from the Pacific Rim nations. Based on experience, the commenter states that the FAA's assumption of a 3-year life expectancy for information cards is high and that information cards normally last less than a year due to wear and theft. The commenter also estimates costs of \$26,000 for Alaskan commuter air carriers in the first year and \$4,224 each year thereafter to meet the requirement.

**FAA Response:** While the FAA recognizes the benefits of translating passenger information on briefing information, this has never been a requirement but an option undertaken by the operator to improve service and safety.

The 3-year life expectancy of briefing cards is based on past experience. There is nothing unique to Alaska that would warrant a deteriorated state sooner than within 3 years.

Part 135 10- to 19-seat airplane briefing card requirements are being incorporated into part 121. New cards need not be revised immediately and normal wear cycles prevail so that this rule would not impose additional costs.

**Oxygen for medical use by passengers.** Section 121.574 provides that a certificate holder may allow a passenger to carry and operate equipment for dispensing oxygen if, among other requirements, the equipment is furnished by the certificate holder. The proposal would require affected certificate holders to comply with § 121.574.

Under current § 135.91, the certificate holder may allow a passenger to carry and operate equipment for dispensing oxygen provided certain requirements are met. Section 135.91(d) contains a provision for permitting a noncomplying oxygen bottle provided by medical emergency service personnel to be carried on board the airplane under certain circumstances; this provision was not proposed to be carried forward into part 121.

**Comments:** AACA states that many medevac operations take place on board scheduled and on-demand flights. Without aviation oxygen available at village health clinics, the flexibility of § 135.91(d) would be lost if it is not carried forward into part 121. AACA recommends allowing a noncomplying oxygen bottle on aircraft operating solely within the State of Alaska. To prohibit this will mean medevac costs will increase and patient transports will have to be done on board charter flights that can originate from a hub point where medical oxygen and stretcher units can be installed on the airplane.

**FAA Response:** The FAA does not find it necessary to move the language of § 135.91 to § 121.574. The FAA has issued exemptions on this requirement to part 121 certificate holders operating in Alaska.

**Alcoholic beverages.** Sections 121.575 and 135.121 contain requirements controlling the serving and consumption of alcoholic beverages on the airplane. The requirements are similar except for three minor additional requirements in § 121.575. The FAA proposed that affected commuters comply with the requirements of § 121.575 and since no comments were received on this issue, the final rule is adopted as proposed.

**Retention of items of mass.** Section 121.576 requires that certificate holders must provide and use a means to prevent each item of galley equipment and each serving cart, when not in use, and each item of crew baggage, which is carried in the crew or passenger compartment, from becoming a hazard. Section 121.577 prohibits a certificate holder from moving an airplane on the surface or taking off unless such items are secure. Sections 135.87 and 135.122 require certificate holders to ensure that