Affects Parts: 4b, 40, 41, 42 Regulation No. SR-401
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UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D. C.

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Effective: April 1, 1954
Adopted: February 24, 1954

SPECIAL CIVIL AIR REGULATION

SMOKE AND FIRE DETECTORS

Special Civil Air Regulation SR-329 currently provides that no air carrier shall be required to install or maintain smoke or fire detectors, other than heat detectors, unless otherwise directed by the Administrator. SR-329 also refers to section 61.30 and to the dates by which compliance with the requirements of that section must be accomplished. On April 1, 1954, Part 61 of the Civil Air Regulations will be rescinded and revised Part 40 will become effective, thus making any references to Part 61 obsolete.

In view of this, a notice of proposed rule making was published in the Federal Register on September 9, 1953, (18 F.R. 5435), in which it was proposed that the current provisions of SR-329 be extended and that certain provisions no longer appropriate be removed. It was also proposed that these provisions be extended only for a period of one year, and not indefinitely as SR-329 provided. As a result of this proposal, several comments were received questioning the necessity for smoke and fire detector requirements and questioning the availability within one year of satisfactory equipment. Other comment was received indicating that the exemption contained in SR-329 should be ended as soon as practicable.

As a result of our review of the above comments, the Board has decided that a re-evaluation of these requirements should be made at an early date. However, the Board is of the opinion that the continuation of a special regulation setting aside requirements of the Civil Air Regulations for an indefinite period in the future is improper. Should it be determined that there exists no justification for continuation of requirements for smoke detectors in baggage compartments, these requirements should be rescinded. On the other hand, until and unless such a determination is in fact made, it is considered that the termination of this exemption within a reasonable period of time is the only proper course before the Board.

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The Board is of the opinion that a period of two years will provide sufficient time to permit evaluation of proposals which have been made for the elimination from the Civil Air Regulations of requirements for smoke detectors in baggage compartments and thereafter, if necessary, to permit compliance with those requirements.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, to become effective April 1, 1954:

Notwithstanding the provisions of Parts 4b, 40, 41, and 42, no person shall be required to install or maintain smoke or fire detectors, other than heat detectors, in aircraft unless otherwise directed by the Administrator.

This regulation supersedes Special Civil Air Regulation Serial Number SR-329 and will terminate on March 31, 1956 unless sooner superseded or rescinded.

(Sec 205 (a), 52 Stat. 984; 49 U.S.C. 425 (a). Interpret or apply secs. 601, 603, 604; 52 Stat. 1007, 1009, 1010, as amended; 49 U.S.C. 551, 553, 554)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)