UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D. C.

Civil Air Regulations Amendment 40-7
Effective: August 9, 1957
Adopted: August 9, 1957

SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

INTERIOR EMERGENCY EXIT MARKING LIGHTS

Currently effective § 40.173 (f) (2) of Part 40 of the Civil Air Regulations requires that, on all airplanes used for scheduled interstate air transportation at night, a source or sources of light with an emergency energy supply independent of the main lighting system be installed to illuminate all emergency exit markings. This particular requirement was adopted by the Board in November of 1955 in an amendment concerning emergency and evacuation equipment and procedures. The Board adopted this rule to increase safety in the evacuation of airplanes. It was the Board's intention that through this amendment all passenger-carrying airplanes would be equipped with lights installed so as to illuminate all emergency exits in such a manner as to attract the attention of the occupants at night and thus expedite evacuation. The Board intended that this requirement should apply specifically to passenger-carrying airplanes as is borne out by the history of the amendment and the preamble thereto. However, this provision is so worded as to be applicable to all airplanes whether engaged in passenger or cargo operations under Part 40.

The Board has been requested to clarify its intent with respect to this provision insofar as its applicability to airplanes used in night cargo operations is concerned. A careful review of the development of the emergency and evacuation equipment and procedure amendment reveals very clearly that the concern of all interested parties was directed almost exclusively to passenger-carrying airplanes. This is particularly apparent with respect to the emergency exit marking lighting requirements, the object of which is to insure, in the case of a crash landing or of a ditching at night, that the passengers and crew may be able to identify and operate emergency exits thus expediting evacuation of the airplane. In airplanes used solely for the carrying of cargo, the problem of locating and operating emergency exits during a ditching or crash landing at night is not comparable to that encountered in passenger operations. Properly qualified crews are so familiar with every feature of the airplane, and the emergency exits which they would normally use are so close at hand, that special lighting for these exits is unnecessary. Furthermore, airline crews typically carry flashlights. All existing large airplane types used in this type of operation have an exit or loading door located immediately aft of the flight deck and the cockpit windows in most cases provide an additional means of crew evacuation. Furthermore, a survey of accidents involving night cargo operations indicates that there have been no difficulties in crew evacuation that would indicate a need for emergency illumination facilities for the emergency exits.

In view of the foregoing, § 40.173 (f) (2) is being amended to reflect the intent of the Board that the emergency lighting requirements apply only to passenger-carrying airplanes.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and it may be made effective without prior notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 40 of the Civil Air Regulations (14 CFR Part 40, as amended) effective August 9, 1957.

By amending § 40.173 (f) (2) by adding after the words "August 31, 1957" the words "in all passenger-carrying airplanes".

(Sec. 205 (a), 52 Stat. 984; 49 U.S.C. 425 (a). Interpret or apply secs. 601, 604, 605, 52 Stat. 1007, 1010, as amended; 49 U.S.C. 551, 554, 555)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

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