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Regulation No. SR-389A

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

Effective: September 13, 1957
Adopted: September 13, 1957

SPECIAL CIVIL AIR REGULATION

EMERGENCY EXITS FOR AIRPLANES CARRYING PASSENGERS FOR HIRE

Special Civil Air Regulation SR-389, effective October 27, 1952, pertains to certain requirements for emergency exits for airplanes carrying passengers for hire. This regulation is being modified by adding the Viscount 700 series airplane to the table of airplanes contained in SR-389 without in any way changing the effect of any of the other provisions of SR-389.

"Special Civil Air Regulation SR-389 is hereby superseded; however, it is being incorporated in its entirety in this regulation, including the reasons for its adoption, so that all pertinent information may be available in one document. The preamble to SR-389 is as follows:

"Special Civil Air Regulation SR-387 effective October 27, 1952, contained inadvertent errors in the table with respect to the number of exits authorized by the Civil Aeronautics Administration for passenger use. These errors are being corrected in this Special Civil Air Regulation. Accordingly, the CV-240, CV-340, and M-202 which were listed in SR-387 with seven approved exits are listed herein with six exits, and the M-404 which was listed in SR-387 with eight approved exits is listed herein with seven exits

"Civil Air Regulations Amendment 4b-4, effective December 20, 1951, prescribes emergency exit provisions for new type transport category airplanes. The amendment was not made applicable to airplane types currently in operation. Nevertheless the Board considers that more stringent rules should apply to all large airplanes carrying passengers for hire. A study of current type airplanes indicates that in some instances the exit facilities have become marginal for the number of occupants carried and that further increases in occupancy must be more strictly related to the number of exits available. The study further reveals that even in some of the airplane types which are not considered marginal in this respect further increases in occupancy should not be permitted without the installation of additional exits.

"The regulation herein adopted requires on all large airplanes (above 12,500 pounds maximum certificated take-off weight) compliance with either § 4b.362 (a), (b), and (c) of Part 4b of the Civil Air Regulations as amended by Amendment 4b-4, effective December 20, 1951, or with the listed values of maximum number of occupants, except that the listed values can be adjusted for the number of exits installed in the ratio of not more than eight additional occupants for each additional exit. The type, size, and location of such additional exits are being made dependent upon the presently installed exit facilities on the individual airplane types. The listed values of maximum number of occupants and the corresponding number of exits reflect in most instances the arrangement presently approved. In a few cases, upward adjustments from the presently approved arrangement have been made where the number of exits so warrants."

The Viscount 700 series airplane, which is manufactured and was originally type certificated in the United Kingdom, was issued a U. S. type certificate by the Civil Aeronautics Administration in 1955 pursuant to the provisions of Part 10 of the Civil Air Regulations. The regulations in this part authorize the Administrator to issue type and airworthiness certificates for aircraft of foreign manufacture, under conditions of reciprocal agreement with such foreign country, when the foreign country certifies that its aircraft has complied with the airworthiness requirements of the Civil Air Regulations or has complied with the applicable airworthiness requirements of the government of the country in which it was manufactured, together with such other requirements as may be prescribed by the Administrator to provide a level of safety equivalent to the requirements prescribed in the Civil Air Regulations. The Viscount 700 series was certificated by the Administrator under the latter of these provisions without compliance with the provisions of SR-389.

The emergency exits for the Viscount 700 series airplane do not comply with the requirements of SR-389; however, the Administrator has advised the Board that the means for the emergency evacuation of passengers in the Viscount 700 series are at least as adequate as some of the other types of airplanes currently used in air carrier service under the exception provisions of SR-389. Although the Viscount does not comply with SR-389, the Board believes that it would be inappropriate to require modification of the Viscount to comply literally with the provisions of that regulation, since the airplane has an acceptable level of safety in respect of its emergency exits and the costs required to make the modifications would not be commensurate with the resulting increase in safety.

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Since this regulation is necessary to clarify the applicability of emergency exit requirements to Viscount 700 series airplanes presently in operation, and imposes no additional burden on any person, the Board finds that notice and public procedure hereon are unnecessary, and that good cause exists for making this regulation effective without prior notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, effective September 13, 1957.

Contrary provisions of the Civil Air Regulations notwithstanding, no large airplane (above 12,500 pounds maximum certificated take-off weight) while carrying passengers for hire shall be operated with occupants in excess of the number permitted by applying the provisions of § 4b.362 (a), (b), and (c) of Part 4b of the Civil Air Regulations as amended by Amendment 4b-4, effective December 20, 1951, except that airplane types listed in the following table may be operated with the listed maximum number of occupants (including all crew members) and the listed corresponding number of exits (including emergency exits and doors) heretofore approved by the Administrator for emergency egress of passengers. Additional occupants above the values listed in the table may be carried if additional exits are provided, except that in no case shall more than eight additional occupants be carried for any one additional exit. The type, size, and location of such additional exits shall be approved by the Administrator. For airplanes which have a ratio of maximum number of occupants to number of exits (as listed in the following table) greater than 14:1 and for airplanes which do not have installed at least one full-size door-type exit in the side of the fuselage in the rearward portion of the cabin, the first additional exit approved by the Administrator for increased occupancy shall be a floor-level exit not less than 24 inches wide by 48 inches high located in the side of the fuselage in the rearward portion of the cabin. In no case shall an occupancy greater than 115 be allowed unless there are two full-size door-type exits in the rearward portion of the cabin, one on each side of the fuselage.

Airplane type	Maximum number of occupants including all crew members	Corresponding number of exits authorized for passenger use
B-307	61	4
B-377	96	9
C-46	67	4
CV-240	53	6
CV-340	53	6
DC-3	35	4
DC-3 (Super)	39	5
DC-4	86	5
DC-6	87	7
DC-6B*	112	11
L-18	17	3
L-049, L-649, L-749	87	7
L-1049	96	9
M-202	53	6
M-404	53	7
Viscount 700 series	49	7

*The DC-6A, if converted to a passenger transport configuration, will be governed by the maximum number applicable to the DC-6B.

This regulation supersedes Special Civil Air Regulation SR-389 and shall remain effective until superseded or rescinded by the Board.

(Sec. 205 (a), 52 Stat. 984; 49 U.S.C. 425 (a). Interpret or apply secs. 601, 603, 604, 52 Stat. 1007, 1009, 1010; 49 U.S.C. 551, 553, 554; 62 Stat. 1216)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)