FEDERAL AVIATION AGENCY
FLIGHT STANDARDS SERVICE
Washington 25, D. C.

December 6, 1962

CIVIL AIR REGULATIONS DRAFT RELEASE NO. 62-54

SUBJECT: Closing and Locking Flight Crew Compartment Doors

The Flight Standards Service of the Federal Aviation Agency has under consideration amendments to Parts 40, 41, and 42 of the Civil Air Regulations to require the door of the flight crew compartment of a large passenger-carrying airplane operated by an air carrier or commercial operator be closed and locked during en route flight. The reasons therefor are set forth in the explanatory statement of the attached proposal which is being published in the Federal Register as a notice of proposed rule making.

The Flight Standards Service desires that all persons who will be affected by the requirements of this proposal be fully informed as to its effect upon them and is therefore circulating copies in order to afford interested persons ample opportunity to submit comments as they may desire.

Because of the large number of comments which we anticipate receiving in response to this draft release, we will be unable to acknowledge receipt of each reply. However, you may be assured that all comment will be given careful consideration.

It should be noted that comments should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, and in order to insure consideration should be received on or before January 21, 1963.

George C. Prill

Director,
Flight Standards Service

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FEDERAL AVIATION AGENCY

FLIGHT STANDARDS SERVICE

/14 CFR Parts 40, 41, and 42/

/Regulatory Docket No.1522; Draft Release No. 62-54/

NOTICE OF PROPOSED RULE MAKING

Closing and Locking Flight Crew Compartment Doors

Pursuant to the authority delegated to me by the Administrator (Sec. 11.45 27 F.R. 9585), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Parts 40, 41, and 42 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room A-103, 1711 New York Avenue N. W., Washington 25, D. C. All communications received on or before January 21, 1963, will be considered by the Administrator before taking action on the proposed rules. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time.

The amendments to the regulations proposed herein will require the door of the flight crew compartment of a large passenger-carrying airplane operated by an air carrier or commercial operator to be closed and locked during en route flight.

The operation of large airplanes under conditions of high-density traffic requires the flight crewmembers of such airplanes to give full attention to their duties and to be constantly alert and available for emergency action.

Passenger conduct which distracts or interferes with the flight crewmembers in the performance of their duties affects the security and safety of the airplane. Therefore, the regulations for many years have restricted the admission of passengers and other persons to the flight crew compartment of airplanes used by air carriers and commercial operators. In conjunction with this requirement a means for locking all companionway doors which separate the passenger compartment from the flight crew compartment has been required as part of the equipment for most airplanes used by air carriers and commercial operators. However, the rules have not specifically required that the door to the flight crew compartment be closed and locked during en route operations.

Other regulatory restrictions upon passenger conduct, such as those pertaining to the drinking of alcoholic beverages aboard aircraft, and the prevention of hijacking were recently adopted by this Agency. However, during previous rule making actions the Agency did not adopt a mandatory provision requiring the door between the passenger and the flight crew compartment to be closed and locked. Although the air carriers were requested to take such precautions during the hijacking incidents, this responsibility was left to the air carrier. Notwithstanding this responsibility, several incidents have been reported in which passengers, and in one instance, an animal were permitted in the flight crew compartment of the airplane during flight.

In view of the foregoing and of recent events involving the national security, the Agency considers it appropriate to propose amendments to Parts 40, 41, and 42 which will further provide for the security and safety of

large passenger-carrying airplanes by making it mandatory to close and lock the door between the passenger and the flight crew compartment during en route operations. These proposed rules will apply to all large airplanes operated by an air carrier or commercial operator when engaged in the carriage of passengers in scheduled or charter flights.

Accordingly, notice is hereby given that it is proposed to amend Parts 40, 41, and 42 of the Civil Air Regulations as follows:

1. By adding a new section 40.372 to Part 40 to read as follows:

40.372 Closing and locking of flight crew compartment doors. Each door separating the flight crew compartment from the passenger compartment of a large airplane operated by an air carrier or commercial operator in the carriage of passengers shall be closed and locked during flight except during:

(a) The takeoff or landing of the airplane, or

(b) Such times as it may be necessary to provide access to the flight crew or passenger compartment for the crewmembers in the performance of their duties, or other persons authorized admission to the flight deck by § 40.356.

2. By promulgating amendments to Parts 41 and 42 of the Civil Air Regulations similar to that proposed herein.

These amendments are proposed under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958, (72 Stat. 752, 775, 778; 49 U.S.C. 1354, 1421, 1424).

George C. Pickett

Director,
Flight Standards Service

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