UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY
WASHINGTON, D. C.

Civil Air Regulations Amendment 42-9
Effective: August 6, 1964
Issued: May 1, 1964

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PART 42—AIRCRAFT CERTIFICATION AND OPERATION RULES FOR SUPPLEMENTAL AIR CARRIERS, COMMERCIAL OPERATORS USING LARGE AIRCRAFT, AND CERTIFICATED ROUTE AIR CARRIERS ENGAGING IN CHARTER FLIGHTS OR OTHER SPECIAL SERVICES

Closing and Locking Flight Crew Compartment Doors

The purpose of this amendment is to revise the present operating rule to require the door which separates passenger compartments from flight crew compartments of large passenger-carrying airplanes operated by air carriers or commercial operators to be closed and locked during certain operations of these airplanes.

On December 6, 1962, the Federal Aviation Agency issued a notice of proposed rule making outlining this proposal which was published in the FEDERAL REGISTER December 20, 1962 (27 F.R. 12649), and circulated as Civil Air Regulations Draft Release No. 62-54. Many of the comments received opposed the proposal as contained therein. Objections were primarily addressed to the point that a locked door will not prevent a determined individual from entering the flight crew compartment. The Agency recognizes that there can be no perfect protection from crime or insanity but believes that locked doors will deter passengers from entering the cockpit and in general will serve the purpose for which the rule is designed; namely, to require the locking of the crew compartment door to preclude inadvertent entry and to act as a deterrent to all unauthorized persons predisposed to enter the flight deck.

Consideration has also been given to comments with respect to when and how the crew compartment door must be locked. The notice took into consideration certain aircraft whose flight crew compartment doors must be placarded to indicate that they must be open during takeoff and landing in that it is a means of access to a required passenger emergency exit. This thought has been incorporated into the regulation thereby eliminating the problem on most aircraft as to when and where the door is to be locked and unlocked.

The regulations have for many years restricted the admission of passengers and other unauthorized persons from the flight crew compartment of large airplanes used by air carriers. 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 a part of the basic equipment for most airplanes. The requirement to lock these doors should not, therefore, pose a problem for the air carriers, many of whom have, in fact, always made it a practice to lock these particular doors in flight.

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

This amendment is made under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, 1424).

In consideration of the foregoing, Revised Part 42 of the Civil Air Regulations (28 F.R. 7124) is hereby amended by adding a new § 42.373 to read as follows, effective August 6, 1964:

§ 42.373 Closing and locking of flight crew compartment doors.

The pilot in command shall be responsible for ascertaining that the door separating the flight crew compartment from the passenger compartment of a large airplane operated by an air carrier or commercial operator when carrying passengers is closed and locked during flight except as follows:

(a) During takeoff and landing of the airplane when such door is the means of access to a required passenger emergency exit.

(b) At such times as it may be necessary to provide access to the flight crew or passenger compartments for the crewmembers in the performance of their duties, or to provide access for other persons' authorized admission to the flight crew compartment by § 42.356.

Issued in Washington, D.C., on May 1, 1964.

N. E. HALABY,
Administrator.

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