U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

JUN 18 2012

Kenneth J. Heidorn
[redacted]

Dear Mr. Heidorn,

This is in response to your February 18, 2012 letter requesting clarification concerning the seat belt requirements of 14 CFR § 91.205(b)(13). Specifically, you ask whether § 91.205(b)(13) requires that each occupant over 2 years of age have their own individual seat belt in light of the fact that § 91.107 allows the shared use of seat belts in certain situations.

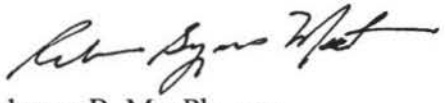
Section 91.107 sets the minimum standards for seat belt use in part 91 flights. The FAA has previously interpreted this section as permitting aircraft occupants to share seat belts in certain situations. *See* 77 FR 30885. Subsection 91.205(b)(13) sets out equipage requirements for operations conducted during the day under visual flight rules (VFR). Under this section a powered civil aircraft with a standard category U.S. airworthiness certificate may not be operated under VFR during the day unless it has "[a]n approved safety belt with an approved metal-to-metal latching device for each occupant 2 years of age or older."

Reading § 91.205(b)(13) consistently with the FAA's interpretation of § 91.107, which permits aircraft occupants on part 91 flights to share seat belts in certain situations, we conclude that § 91.205(b)(13) does not mandate that each aircraft occupant have their own individual seat belt. Rather, § 91.205(b)(13) simply requires that each aircraft occupant who is at least two years of age have access to a safety belt. Because § 91.205(b)(13) does not require individual seat belts for each occupant, this section permits aircraft occupants to share an approved safety belt with an approved metal-to-metal latching device as long as each occupant who is sharing the safety belt is securely restrained by the approved safety belt.

However, the FAA emphasizes that § 91.107 has been interpreted to state that the use of a seat belt and/or seat by more than one occupant is permitted only if the seat usage conforms to the limitations contained in the approved portion of the Airplane Flight Manual (AFM). *See* 77 FR 30885. Additionally, before multiple occupants use the same seat and/or seat belt, if the pertinent information is available, the pilot in command (PIC) must also check whether: (1) the seat belt is approved and rated for such use; and (2) the structural strength requirements for the seat are not exceeded. *Id.*

We appreciate your patience and trust that the above responds to your concerns. If you need further assistance, please contact my staff at (202) 267-3073. This response was prepared by Alex Zektser, Attorney, Regulations Division of the Office of the Chief Counsel, and coordinated with the General Aviation and Commercial Division of Flight Standards Service.

Sincerely,



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