

STATEMENT OF WALTER S. LUFFSEY, ASSOCIATE ADMINSTRATOR FOR AVIATION STANDARDS, FEDERAL AVIATION ADMINISTRATION, BEFORE THE HOUSE COMMITTEE ON GOVERNMENT OPERATIONS, SUBCOMMITTEE ON GOVERNMENT ACTIVITIES AND TRANSPORTATION, CONCERNING CABIN SAFETY STAFFING STANDARDS. APRIL 6, 1981

Mr. Chairman and Members of the Subcommittee:

You have asked the FAA to appear before the Subcommittee today to discuss our notice of proposed rulemaking relating to the demonstration of emergency evacuation procedures and the number of flight attendants required on air carrier flights. With me are Tony Broderick, Technical Advisor, Office of Aviation Standards, Kenneth Hunt, Director, Office of Flight Operations, and Sharon Barthelmess, Cabin Safety Specialist, Office of Aviation Safety.

At the outset, Mr. Chairman, I should point out that the FAA is in the middle of rulemaking on these issues under the Administrative Procedure Act. The notice of proposed rulemaking (NPRM) was issued on January 19, 1981, and the comment period for that NPRM remains open until April 20. We are committed to maintaining an open mind on these issues until we have examined and evaluated all of the comments we receive. My prepared statement today must, therefore, be confined to

an explanation of our rationale for issuing the NPRM. I would further add that the FAA would be pleased to consider the comments of the Subcommittee members on the proposed rulemaking along with comments received from other interested persons.

I would first like to discuss the proposed amendment to 14 CFR 121.291 relating to the demonstration of emergency evacuation procedures. These demonstrations are required whenever (1) a type or model of airplane is introduced into passenger-carrying operations, (2) the passenger seating capacity of an airplane is increased by over 5 percent, or (3) the passenger cabin seating configuration or emergency exits are significantly changed. The proposed change would remove the requirement that an airline perform a full scale evacuation demonstration of an airplane if a successful full-scale evacuation demonstration of that type or model of airplane has already been performed by a manufacturer or another airline.

In this case, the airline would be required to conduct a partial demonstration of the effectiveness of its crewmember emergency training and evacuation procedures. This partial demonstration, or "mini-evacuation", would require the flight attendants to open 50% of the floor level exits and have 50% of the exit slides available for use within 15 seconds or the time

used in the certification demonstration, whichever is less. Thus if the slides were available for use in 14 seconds in the emergency evacuation demonstration upon which the air carrier relies, then it must meet this 14 second time limit in its mini-evacuation. In addition, any non-floor level exits whose opening by a flight attendant is defined as an emergency evacuation duty according to the airline's operating manual must be opened within that same time period.

The effect of this proposed rule, if adopted, would be to reduce the number of repetitive full-scale emergency evacuations which must be conducted, reducing the number of persons who may be injured in such demonstrations. The risk of injury in evacuation demonstrations is very real and significant. For instance, two jumbo jet evacuations, each involving 391 passengers, resulted in 29 injuries in one test and 27 injuries in the other. These injuries included friction burns, abrasions, and, in one case, 6 sprains, and, in the other, 4 sprains and 1 broken bone.

The FAA has already granted a number of exemptions from the current rule and it has been our experience that allowing the mini-evacuation demonstration has resulted in no derogation of safety. In fact, in the case of four airlines which received

exemptions from the full-scale evacuation demonstration and later had to perform actual emergency evacuations, all were able to complete the actual evacuation in under the 90 second time limit for full scale evacuation demonstrations. The actual evacuation times ranged from 45 seconds to 80 seconds.

By incorporating the provisions of the previously allowed exemptions into the regulations, the cost and time involved in submitting and revising petitions for exemptions would be eliminated. Of course, a full-scale demonstration is still required if the conditions for allowing the partial demonstration are not met.

I would like to turn now to the proposed amendment to 14 CFR 121.391, relating to the number of flight attendants required for passenger-carrying flights. Under the current rule, for airplanes with a seating capacity over 9 passengers, an air carrier is required to provide 1 flight attendant for each unit (or part of a unit) of 50 passenger seats.

This existing rule allows for a reduction in the number of flight attendants used, but only if a sufficient number of seats are physically removed from the cabin. The proposed rule would allow the operator to reduce the number of required

flight attendants in certain situations by blocking passenger seats to reduce passenger capacity, rather than requiring the physical removal of the seats. The three situations in which this seat-blocking procedure has been proposed to be allowed are:

- (1) Flights which past experience has shown operate with passenger loads at or less than the reduced seating capacity proposed, such as late night and early morning flights;
- (2) Specific flights which require unplanned substitutions of aircraft, due to mechanical irregularities or weather-related delays, at locations where additional crewmembers cannot be obtained without causing a delay of over 2 hours or flight cancellation;
- (3) Specific flights on which a crewmember cannot continue due to illness, and a replacement crewmember cannot be obtained at that location without more than a two hour delay or flight cancellation.

The FAA has granted limited exemptions for conditions similar to those described in situation (1)--relating to consistently reduced passenger load--for flights which would have required more than two flight attendants. No safety problems have been noted as a result of these exemptions, and the proposed rule would operate in the same way since it would never allow the blocking of seats to reduce the required number of flight attendants to below two.

The exemptions which have been granted have enabled the air carriers concerned to operate in a more efficient and less costly manner. The proposed rule is also designed to serve the public interest by eliminating delays and cancellations which could result from the need to obtain extra flight attendants in the event of unplanned substitution of aircraft or crewmember illness.

The proposal contains provisions for the FAA to ensure that the implementation of the rule would not adversely affect safety. For instance, it would require the air carrier to develop procedures which must be followed when blocking seats, including the means used to block seats, the location of the blocked seats, and methods to provide each crewmember with specific instructions on his or her emergency duties for the reduced seating configuration flight. These procedures must be

submitted for approval by the Administrator and included in the air carrier's operations manual. FAA's approval would depend upon a showing that the procedures will ensure the optimum emergency evacuation configuration, based on such factors as overall cabin size, the number and location of exits, the location of blocked seats, and the number and location of flight attendants.

It should also be noted, Mr. Chairman, that the proposed rule contemplates retaining the provision in paragraph 121.391(b) to deal with an air carrier which used extra flight attendants in its emergency evacuation demonstration or the partial demonstration I described under our proposed rule. By "extra" flight attendants, I mean more than would be required for the maximum seating capacity of that airplane under section 121.391(a). Any reduction in the number of required flight attendants due to a reduced seating configuration must be supplemented by the number of extra flight attendants actually used in the emergency demonstration evacuation.

Perhaps an example would help clarify the concept. Assume the maximum seating capacity of a particular airplane would require 10 flight attendants, but the air carrier used 12 flight attendants in demonstrating the effectiveness of its emergency evacuation procedures under section 121.291. If that air

carrier then blocks off enough seats to drop the number of flight attendants required under 121.391(a) to 9, paragraph (b) would require that air carrier to use 11 flight attendants in the reduced seating configuration--9 plus the 2 extra flight attendants used in the emergency evacuation demonstration. This provision was retained to ensure that the capability for accomplishing an emergency evacuation within 90 seconds is not diminished by the reduction in the number of flight attendants due to the blocking of seats.

At the outset of my prepared statement, I noted that we are in the midst of rule-making on these two proposals, and, in fact, the public has until April 20th to comment on them.

We cannot, of course, predict what those comments will be, nor what the final outcome of the rulemaking process would be.

I can assure you, however, that the Administrator-designate has expressed to me his personal interest in this rulemaking. Any decision he makes concerning a possible final rule will follow his careful assessment of the proposal and the comments received in response to the NPRM. Naturally this includes any comments you or other members of the Subcommittee may wish to make, and we welcome your input. At this time, I would be pleased to respond to your questions.