

Affects Parts: 4b, 40, 41, 42
43, 45
Distribution: General

Regulation No. SR-389B
Amendment No. 1

United States of America
Federal Aviation Agency
Washington, D.C.

Effective: September 11, 1959
Issued: September 11, 1959

**Special Civil Air Regulation; Emer-
gency Exits for Airplanes Carrying
Passengers for Hire**

Special Civil Air Regulation No. SR-389B, adopted by the Civil Aeronautics Board on December 24, 1958, and effective January 30, 1959, specified in part that no large airplane 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-5 effective April 9, 1957, except for those airplanes listed in the table in SR-389B. Special Civil Air Regulation No. SR-389A, which preceded SR-389B, contained a similar provision but referred to Amendment 4b-4 effective December 20, 1951. The effect of SR-389B was to apply the current Part 4b exit requirements retroactively to airplanes which met the earlier Part 4b requirements referenced in SR-389A.

A review of the history of the development of SR-389B indicates that such retroactive application of current Part 4b requirements was included inadvertently and that it would impose an unnecessary burden on the operators of certain airplanes. SR-389B is therefore being amended to eliminate this retroactive provision.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the amendment is made effective immediately.

In consideration of the foregoing, Paragraph 1 of Special Civil Air Regulation No. SR-389B is hereby amended to read as follows, effective September 11, 1959.

1. Contrary provisions of the Civil Air Regulations notwithstanding, no large airplane (more than 12,500 pounds maximum certificated take-off weight) type certificated under Civil Air Regulations effective prior to April 9, 1957, 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 the emergency egress of passengers.

(Sec. 313(a), 603, 604, 72 Stat. 762, 776, 778; 49 U.S.C. 1354(a), 1423, 1424)

Issued in Washington, D.C., on September 11, 1959.

JAMES T. FYLE,
Acting Administrator.

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8:45 a.m.]