

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

[Docket No. 6936; Amdt. 121-11]

#### PART 121—CERTIFICATION AND OP- ERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

##### Use of Oxygen Masks by Flight Crewmembers

The purpose of this amendment is to revise the present operating rule with respect to the use of oxygen masks by flight crewmembers when operating above flight level 250.

The currently effective provisions of § 121.333(c) of Part 121 of the Federal Aviation Regulations require that at least one pilot at the controls of a turbine-powered airplane wear and use an oxygen mask when operating above flight level 250, and that the remaining flight crewmembers have their masks in a position permitting immediate placing of the masks on their faces for use, properly secured and sealed. An exception to the currently effective rule relaxes the above stated requirement below flight level 350, if each flight crewmember on flight deck duty has a "quick-donning" type of oxygen mask which the air carrier has demonstrated to be satisfactory to a representative of the Administrator.

Prior to the introduction of turbojet airplanes into air carrier service, rules were prescribed with respect to wearing oxygen masks on such airplanes when used in air carrier service. The lack of previous operating experience with turbojet airplanes and the type of oxygen masks then available justified the conservative approach at that time with respect to the requirements for oxygen masks. As operating experience was gained and improved oxygen masks became available, the rule was amended as outlined in Civil Air Regulations Amendments 40-12, effective September 1, 1958; 40-23, effective November 30, 1959; 40-25, effective February 1, 1960; and 40-28, effective March 3, 1961. Similar amendments were made to Parts 41 and 42 on the same dates.

Six and one-half years of operating experience with turbojet airplanes having pressurized cabins has shown the occurrence of sudden decompressions to be very infrequent, and of no serious consequence. Oxygen masks and their attendant harnesses have advanced in design to the point where they can and do meet the standards prescribed for the quick-donning concept. We also recognize that the wearing of these masks may create a degree of discomfort which in turn might hamper the wearer's efficiency. The period when the mask must be worn should, therefore, be held to the prudent minimum. We do, however, consider it necessary to require the oxygen masks, when not being used, to be kept at all times in a condition ready for use, and so located as to be within the immediate reach at all times of the flight crewmembers while at their duty stations above flight level 250.

Upon consideration of these factors, the Agency is amending § 121.333(c)(2) to the extent that, if each flight crewmember on flight deck duty is provided with a quick-donning oxygen mask, the one pilot at the controls of the airplane now required to wear and use an oxygen mask need not do so while at or below flight level 410. Above flight level 410, the time element becomes much more critical and consideration must be given to pressure breathing demand equipment.

Since the affected industry groups are well aware of, and in agreement with, this relaxatory amendment, compliance with the notice and public procedure provisions of the Administrative Procedure Act is unnecessary, and good cause exists for making it effective on less than 30 days' notice.

In consideration of the foregoing, effective September 30, 1965, paragraph (c)(2) of § 121.333 of Part 121 of the Federal Aviation Regulations (14 CFR Part 121, as amended) is hereby amended by striking out the number "350" and inserting in place thereof the number "410".

(Secs. 313(a), 601, and 604, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421, 1424)

Issued in Washington, D.C., on September 24, 1965.

D. D. THOMAS,  
Acting Administrator.

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