

**Factual Report – Attachment 19**

**FAA Order 8900.457**

**OPERATIONAL FACTORS**

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# NOTICE

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

N 8900.457

National Policy

Effective Date:  
4/10/18

Cancellation Date:  
4/10/19

**SUBJ:** Emergency Order of Prohibition Pertaining to “Doors-Off” Flight Operations for Compensation or Hire

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**1. Purpose of This Notice.** This notice informs inspectors of the issuance of “Operators and Pilots of “Doors Off” Flights for Compensation or Hire” Emergency Order of Prohibition, Docket No. FAA-2018-0243, 83 FR 12856 (March 26, 2018) (“the Order”), which prohibits the use of supplemental passenger restraint systems (SPRS) that cannot be released quickly in an emergency during flight operations for compensation or hire with the doors open or removed (“doors-off flights” or “doors-off flight operations”). The Order is applicable to operators and pilots who conduct doors-off flights for compensation or hire. Additionally, the order prohibits passenger-carrying doors-off flight operations for compensation or hire unless the passengers are at all times properly secured using Federal Aviation Administration (FAA)-authorized restraints. Correct use of FAA-approved SPRSs during flight meets this requirement. The Order became effective immediately upon issuance. This notice provides updated guidance for resumption of doors-off flights for compensation or hire and supersedes the information conveyed in Notice N 8900.456, Emergency Order of Prohibition Pertaining to “Doors-Off” Flight Operations for Compensation or Hire, effective March 23, 2018, which is now canceled.

**2. Audience.** The primary audience for this notice is principal inspectors (PI), aviation safety inspectors (ASI), and aviation safety technicians (AST) in Safety Assurance offices. The secondary audience includes the Flight Standards Service (FS) Office of Safety Standards.

**3. Where You Can Find This Notice.** You can find this notice on the MyFAA employee website at [https://employees.faa.gov/tools\\_resources/orders\\_notices](https://employees.faa.gov/tools_resources/orders_notices) or through the Flight Standards Information Management System (FSIMS) at <http://fsims.av.faa.gov>. Operators can find this notice on the FAA’s website at <http://fsims.faa.gov>. This notice is available to the public at [http://www.faa.gov/regulations\\_policies/orders\\_notices](http://www.faa.gov/regulations_policies/orders_notices).

**4. Background.** Upon information derived from an initial investigation into a fatal March 11, 2018, helicopter accident on the East River near New York City, New York, the Acting Administrator has found that an emergency exists related to aviation safety and safety in air commerce and issued the Order on March 22, 2018. Based on an initial investigation and the reliable and credible evidence presently available, the Acting Administrator found that civil aircraft N350LH, an Airbus helicopters AS350B2 helicopter, was operated “doors off” on a flight in the vicinity of New York City. All passengers on the flight wore operator-provided harness systems that allowed the passengers to move securely within the helicopter and sit in the

doorsill while airborne. The SPRSs worn by the passengers, while intended as a safety measure when the aircraft was in flight, may have prevented the passengers' quick egress from the aircraft after the accident. While this accident involved an aircraft that impacted the water, passengers could face a similar hazard in other emergency situations, such as an aircraft fire on the ground.

## **5. Action.**

**a.** All PIs, ASIs, and ASTs who have oversight responsibility of operators or pilots that conduct doors-off flights for compensation or hire are required to convey the information contained in the Order to those operators or pilots immediately. Operators and pilots must cease using SPRSs during doors-off flight operations for compensation or hire until the FS Office of Safety Standards, on behalf of the Acting Administrator, issues a letter of authorization (LOA) for those supplemental restraints. The LOA will be issued after determining that the restraints to be used can be quickly released by a passenger with minimal difficulty and without impeding egress from the aircraft in an emergency. The FAA will consider the design, manufacture, installation, and operation of the SPRS when reviewing all applications for an LOA. The ability of a passenger to quickly release the restraint with minimal difficulty must be inherent to the SPRS. An SPRS must not require the use of a knife to cut the restraint, the use of any other additional tool, or the assistance of any other person. An SPRS also must not require passenger training beyond what would be provided in a preflight briefing. The applicant bears the burden of clearly and convincingly demonstrating that the SPRS can be quickly released by a passenger with minimal difficulty and without impeding egress from the aircraft in an emergency.

**Note:** The Order does not apply to parachuting operations and helicopter external-load operations under Title 14 of the Code of Federal Regulations (14 CFR) part 133. Additionally, the Order does not apply to operations conducted as public aircraft operations. Additional information regarding public aircraft operations is available in Advisory Circular (AC) 00-1.1, Public Aircraft Operations. This AC is available at [http://www.faa.gov/documentLibrary/media/Advisory\\_Circular/AC\\_00-1\\_1A.pdf](http://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_00-1_1A.pdf).

**b.** Additionally, PIs, ASIs, and ASTs must ensure that operator and pilot procedures are in place that ensure that all passenger-carrying doors-off flight operations for compensation or hire are prohibited unless the passengers are at all times properly secured using FAA-approved restraints. Correct use of FAA-approved SPRSs during flight meets this requirement.

**c.** If a PI, ASI, or AST discovers any additional doors-off flight operations for compensation or hire during the course of routine surveillance, he or she must convey the information contained in the Order to that operator or pilot.

## **6. Procedure for Obtaining an LOA for Use of an SPRS.**

**a.** Operators, pilots, or individuals desiring authorization to use an SPRS should electronically complete FAA Form 7711-2, Certificate of Waiver or Authorization Application, and save it for submission to the FAA. This form can be found at [http://www.faa.gov/documentLibrary/media/Form/7711-2\\_\\_\[08-08\].pdf](http://www.faa.gov/documentLibrary/media/Form/7711-2__[08-08].pdf).

**Note:** Some information requested in FAA Form 7711-2 may not be applicable to all submissions. For instance, because there is no applicable FAR, item 6 should be left blank. After reading the certification statement, the applicant must date and sign item 17.

**b.** In addition to the information required on FAA Form 7711-2, submissions must also include a completed ATTACHMENT A, Request for FAA Letter of Authorization, Supplemental Passenger Restraint System—Supporting Information, found at the end of this notice.

**Note:** The submitter must upload at least one video to [www.YouTube.com](http://www.YouTube.com) that shows an occupant demonstrating the method of release from the SPRS. When uploading each video, the submitter can change the privacy settings for that video to “Unlisted” so that only people who know the link to the video can view it. An “unlisted” video will not appear in any of YouTube’s public spaces. “Unlisting” a video is not required, but is encouraged.

**c.** The completed FAA Form 7711-2 and ATTACHMENT A should be uploaded and sent via email to the Air Transportation Division (AFS-200) at [SPRS@faa.gov](mailto:SPRS@faa.gov).

**Note:** If the submitter cannot comply with the electronic submission requirement, please contact AFS-200 at (202) 267-8166 for instructions.

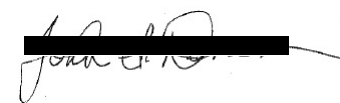
**d.** If authorized, AFS-200 will issue an LOA to the operator, pilot, or individual submitter.

**e.** If issued to a pilot or operator, the LOA must be carried on the aircraft whenever the SPRS is used on any doors-off flight operation for compensation or hire.

**f.** If issued to an individual, the LOA may be used by the individual, at the discretion of the pilot/operator, on any doors-off flight operation for compensation or hire. The individual must provide a copy of the LOA to the pilot/operator prior to participating in the conduct of a doors-off flight operation.

**7. Consequences of Failure to Comply with the Order.** As in any situation involving noncompliance, PIs, ASIs, and ASTs are reminded to utilize the FAA Compliance Philosophy as detailed in FAA Order 8000.373, Federal Aviation Administration Compliance Philosophy. For operators or pilots that are unwilling or unable to comply with the Order, PIs, ASIs, and ASTs should be aware that those operators or pilots may be subject to a civil penalty or certificate action for each flight operated in violation of the Order.

**8. Disposition.** We will incorporate the information in this notice into FAA Order 8900.1 before this notice expires. Direct questions concerning the information in this notice to AFS-200 at (202) 267-8166.



John S. Duncan  
Executive Director, Flight Standards Service

## ATTACHMENT A

### Request for FAA Letter of Authorization Supplemental Passenger Restraint System—Supporting Information

As noted in “Operators and Pilots of “Doors-Off” Flights for Compensation or Hire,” Emergency Order of Prohibition, Docket No. FAA-2018-0243, 83 FR 12856 (March 26, 2018), operators and pilots may conduct doors-off flights for compensation or hire involving supplemental passenger restraint systems (SPRS) if the Federal Aviation Administration (FAA) has determined that the restraints to be used can be quickly released by a passenger with minimal difficulty and without impeding egress from the aircraft in an emergency.

Specifically, the criteria includes that the ability of a passenger to quickly release the restraint with minimal difficulty must be inherent to the SPRS. Additionally, an SPRS must not require the use of a knife to cut the restraint, the use of any other additional tool, or the assistance of any other person. An SPRS also must not require passenger training beyond what would be provided in a preflight briefing.

I am submitting this information to request authorization for use of the specific SPRS listed below. I certify that the information submitted below is accurate and that the SPRS listed below meets the stated criteria and can be quickly released by a passenger with minimal difficulty and without impeding egress from the aircraft in an emergency.

I have included a link to a video (no more than 8 seconds) that shows how a passenger can quickly release the SPRS without assistance from any other individual, with minimal difficulty, and without impeding egress from the aircraft in an emergency. I understand that the file-sharing service provider should not require FAA personnel to create a user ID or password in order to open and view the video.

This completed form must be uploaded and sent via email to the Air Transportation Division (AFS-200) at [SPRS@faa.gov](mailto:SPRS@faa.gov).

**Note:** If you cannot comply with the electronic submission requirement, please contact AFS-200 at (202) 267-8166 for instructions.

<b>Submitter Name, Organization, Mailing Address, Email Address, Certificate Number/ Operator ID (if applicable)</b>	<b>System Components, Including Manufacturer's Make and Model</b>	<b>Certification Standard for Each Component (e.g., OSHA ANSI Z359.1)</b>
<b>Text of preflight briefing or step-by-step instructions to SPRS user regarding release of SPRS from attachment point on the aircraft in preparation for egress</b>		
<b>Link to video (no more than 8 seconds) of an occupant demonstrating method of release of harness and/or lanyard from attachment point on the aircraft in preparation for egress</b>		