

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 121****[Docket No. 25874; Notice No. 89-9]****RIN 2120-AC32****Flight Attendant Requirements****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Proposed rule, withdrawal.

**SUMMARY:** The FAA is withdrawing a previously published notice of proposed rulemaking (NPRM) that proposed to amend the regulations for situations where passengers are on board aircraft that are parked at the gate. The FAA has determined that because there has been a considerable lapse of time since the issuance of the NPRM in April of 1989, the NPRM should be withdrawn.

**DATES:** This withdrawal is made on June 6, 1996.

**FOR FURTHER INFORMATION CONTACT:** Donell Pollard, Air Transportation Division, Federal Aviation Administration, 800 Independence Ave., SW., Washington, D.C. 20591; telephone (202) 267-3735.

**SUPPLEMENTARY INFORMATION:** On April 14, 1989, the FAA published Notice No. 89-9 [54 FR 15134] proposing to amend the regulations covering situations where passengers remain on board an aircraft when it is parked at the gate. The current rule permits a reduction of flight attendants at intermediate stops; Notice 89-9 proposed to extend that reduction to beginning and ending

stops. The FAA also proposed that, for airplanes of 101-150 passenger seats, two flight attendants rather than one should be required at all stops for reasons of safety and security. Finally, the NPRM proposed certain training requirements for persons who would be allowed to substitute for flight attendants at stops where passengers remain on board.

The FAA received 12 comments on the proposal. The Air Transport Association (ATA) commented that it favors the reduction in the number of flight attendants at beginning and ending stops; however, it opposes the increase in the number of flight attendants for the 101-150 passenger airplane. ATA estimated that this change could cost up to \$12 million annually. The Association of Flight Attendants (AFA) commented that the FAA should allow no reduction in the number of flight attendants for reasons of safety and security, but favored the proposed increase, from one to two, in the number of flight attendants required to remain onboard the 101-150 airplane. A joint comment submitted by other flight attendant associations supported this position. That comment also pointed out that allowing persons to substitute for flight attendants would add yet another group that would have information on the air carrier's security program. Likewise, the Air Line Pilots Association (ALPA) supported a full complement of flight attendants on board when passengers are boarding or deplaning, and included additional criteria for the emergency evacuation of an airplane. The National

Transportation Safety Board (NTSB) stated that all of the flight attendants should be on board during the active stages of boarding and deplaning, but agreed that the number of flight attendants could be reduced during enroute stops. The NTSB agreed that this reduction should be based on the number of floor level exits. The NTSB also suggested specific training for those persons who would be allowed to substitute for flight attendants. Finally, several individuals commented that they did not support this rulemaking based on safety considerations.

Because it has now been almost 7 years since the proposal was published, the FAA acknowledges that these comments should not be relied on as necessarily representing the positions of persons interested in this proposal. Because the airline industry is a dynamic and changing industry, comments made in 1989 may or may not reflect the effect that this proposal would have on air carriers and individuals today.

For these reasons, the FAA has decided to withdraw NPRM No. 89-9. The FAA may issue a new proposal in the future.

In consideration of the above, Notice No. 89-9, issued April 14, 1989, is hereby withdrawn.

Issued in Washington, DC on May 31, 1996.

Thomas C. Accardi,

*Director, Flight Standards Service.*

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