

Exemption No. 9948

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC 20591

In the matter of the petition of

CIRRUS DESIGN CORPORATION

for an exemption from §§ 23.562(b)
and 23.785(a) of Title 14, Code of
Federal Regulations

Regulatory Docket No. FAA-2009-0623

GRANT OF EXEMPTION

By letter dated June 30, 2009, Mr. Christopher Mitchell, Director, Airworthiness, Cirrus Design Corporation, 4515 Taylor Circle, Duluth, MN 55811 petitioned the Federal Aviation Administration (FAA) on behalf of Cirrus for an exemption from §§ 23.562(b) and 23.785(a) of Title 14, Code of Federal Regulations (14 CFR). The proposed exemption, if granted, would permit the use of seats that are limited to occupants who weigh no more than 90 pounds in the Model SF50 airplane.

The petitioner [requires/requests] relief from the following regulation[s]:

§ 23.562(b) prescribes that dynamic seat testing be conducted with an occupant weight of 170 pounds, and § 23.785(a) prescribes that seats and supporting structure be designed to support occupants weighing at least 215 pounds.

The petitioner supports its request with the following information:

The petitioner states Cirrus requests an exemption to the occupants weights specified in §§ 23.562(b) and 23.785(a) for its Model SF50 airplane regarding optional small occupant passenger seats designed for passengers weighing no more than 90 pounds. These seats can be made safer if designed for a low occupant weight. However, part 23 does not provide sufficient regulation for seats designed specially for small occupants.

A summary of the petition was published in the Federal Register on September 11, 2009 (74 FR 46831). No comments were received.

ACE-09-329-E

The FAA's analysis is as follows:

The FAA finds that the requested exemption complies with 14 CFR, part 11, §§ 11.81(d) and (e) and thus is in the public interest and will not adversely affect safety.

The FAA's Decision

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator, Cirrus Design Corporation is granted an exemption from 14 CFR §§ 23.562(b) and 23.785(a) to the extent necessary to allow Cirrus to install seats that are limited to occupants who weigh 90 pounds or less, subject to the conditions and limitations listed below.

Conditions and Limitations

1. The seat installation must comply with § 23.561.
2. The seat installation must not impede egress from the airplane.
3. The seat installation must meet weight and balance requirements of the type certificate.
4. The seat installations must be placarded to limit occupants to those who weigh 90 pounds or less.

Issued in Kansas City, Missouri on October 23, 2009.


Kim Smith
Manager, Small Airplane Directorate
Aircraft Certification Service