

Exemption No. 10078A

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

In the matter of the petition of

**HAWKER BEECHCRAFT CORPORATION**

for an exemption from § 23.783(f)(1)  
of Title 14, Code of  
Federal Regulations

**Regulatory Docket No. FAA-2010-0216**

**AMENDMENT TO GRANT OF EXEMPTION**

By letter dated February 16, 2010, Mr. David Bernstorf, Vice President Safety and Certification, Hawker Beechcraft Corporation, 9709 Central, P.O. Box 85, Wichita, KS, 67201-0085 petitioned the Federal Aviation Administration (FAA) on behalf of Hawker Beechcraft Corporation for an exemption from § 23.783(f)(1) of Title 14, Code of Federal Regulations (14 CFR). The proposed exemption, if granted, would allow the certification of the model 390-2 with a main door width less than that specified in 14 CFR part 23.

The exemption was granted on June 10, 2010. After the FAA granted the exemption, Hawker Beechcraft Corporation found an error in the exemption decision language. The decision language cites § 23.781(f)(1) instead of § 23.783(f)(1), as it should. This amendment corrects that error.

**The petitioner requests relief from the following regulation:**

Section 23.783(f)(1) prescribes, in pertinent part, that each passenger entry door must qualify as a floor level emergency exit and have a rectangular opening with a width not less than 24 inches.

**The petitioner supports its request with the following information:**

**(NOTE: The following is from the petitioner's letter of February 16, 2010.)**

“HBC [Hawker Beechcraft Corporation] requests an exemption to the requirements outlined above for the Hawker Beechcraft model 390-2.

“The model 390-2 entry door has basic dimensions greater than the minimum required by 14 CFR § 23.783(f)(1). The total area of the model 390-2 cabin door opening minus the area occupied by localized projections is greater than the minimum area required by 14 CFR § 23.783(f)(1); however, the minimum width dimension cannot be met at discrete points due to the protrusions.

“HBC will conduct an egress test per 14 CFR § 23.803. The egress test will demonstrate the 390-2 entryway dimensions provide enough open area as to allow safe exit of the airplane. Service history has been reviewed and no issues have been shown with the cabin door evacuation due to the protrusions for the model 390 in any accidents/incidents where egress was demonstrated.

“HBC proposes that an exemption be based on the model 390-2 entry door's basic dimensions and open area in excess of the minimum required by 14 CFR § 23.783(f)(1) and on the successful demonstration of egress.”

A summary of the petition was published in the Federal Register on April 9, 2010 (75 FR 18256). No comments were received.

**The FAA's analysis is as follows:**

The FAA finds that the door and maximum occupancy are unchanged from the earlier model 390 and service history indicates there has been no issue with emergency evacuation for the maximum eight occupants. Therefore, we find that this exemption will not adversely affect safety and will provide a level of safety equivalent to the regulation.

**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, Hawker Beechcraft Corporation is granted an exemption from 14 CFR § 23.783(f)(1) to the extent necessary to allow Hawker Beechcraft Corporation to certify the model 390-2 in the commuter category, subject to the conditions and limitations listed below.

**Conditions and Limitations**

1. Passenger briefing cards will be on board to explain the operation of the exit.
2. Occupancy of the airplane is restricted to maximum 2 crew seats and 6 passenger seats.

Issued in Kansas City, Missouri on June 24, 2010.

s/

John Colomy  
Acting Manager, Small Airplane Directorate  
Aircraft Certification Service