

UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
RENTON, WASHINGTON 98057-3356

In the matter of the petition of

**Aero Medical Products Mfg., Inc.**

for an exemption from §§ 25.562 & 25.785(b)  
of Title 14, Code of Federal Regulations

**Regulatory Docket No. FAA-2016-4358**

**GRANT OF EXEMPTION**

By letter dated February 15, 2016, Mr. Paul Egan, Chief Executive Officer of Aero Medical Products Mfg., Inc., 2230 Stonebridge Rd., West Bend, WI 53095 petitioned for exemption from the requirements of §§ 25.562 and 25.785(b) of Title 14, Code of Federal Regulations (14 CFR). The proposed exemption, if granted, would permit a medical stretcher installation on Gulfstream Aerospace LP Model Gulfstream 200 and Galaxy series airplanes.

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

**Section 25.562**, requires compliance with the structural and occupant-protection requirements of § 25.562 as adopted by Amendment 25-64.

**Section 25.785(b)**, as amended by Amendment 25-72, requires that each seat, berth, safety belt, harness, and adjacent part of the airplane at each station designated as occupiable during takeoff and landing must be designed so that a person making proper use of these facilities will not suffer serious injury in an emergency landing as a result of the inertia forces specified in §§ 25.561 and 25.562.

**The petitioner supports their request with the following:**

This section quotes the petitioner's information.

Aero Medical Products Mfg., Inc., hereby petitions for an exemption from 25.562 and part of 25.785(b) of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to permit installation of medical-patient litter assemblies, for transport of

persons whose medical condition dictates such accommodations, on Gulfstream Model Galaxy and G-200 series airplanes.

### **Extent of relief, and reason**

Aero Medical Products Mfg., Inc owns supplemental type certificates (STCs) for the Gulfstream I, II, III, IV and for numerous 14 CFR part 25, 23, 27 and 29 airplanes. The certification requirements for those airplanes have resulted in good service history with no adverse experience. No medical-patient loading and utility system installations have been shown to meet the dynamic criteria. 14 CFR parts 23, 27, and 29 specifically exclude stretcher litters from the dynamic criteria.

Aero Medical Products Mfg., Inc notes that the estimated cost of demonstrating compliance is quite high considering the limited number of units for which the cost could be amortized. Since none have been shown to comply with the dynamic test criteria, stretchers cannot currently be used on airplanes whose type certificate basis includes the dynamic requirements. In this case, a person who needs to travel for essential medical care can either charter an airplane, at 5 to 10 times the cost of a commercial ticket, or if the cost is prohibitive, fail to receive the needed treatment (the consequences of which may be fatal). Another alternative would be flying an alternate route on an airplane the certification basis for which does not require dynamic testing. This would offer no increase in safety and may not be available.

### **Why granting this request would be in the public interest; how it benefits the public as a whole**

Aero Medical Products Mfg., Inc feels that granting the petition would be in the public interest for the following reasons:

- The exemption would relieve an economic burden on a segment of the traveling public already dealing with adversity,
- The level of safety that would be provided is an acceptable level of safety given the limited usage and exposure of the stretcher,
- Compliance with the dynamic test requirements would be difficult at best, and very expensive, while returning a marginal safety benefit. In addition, 14 CFR 25.562 is written for seats and would not be easily applied to a litter.

### **Request to forego summary-notice publication in the Federal Register for public comment**

Aero Medical Products Mfg., Inc also requests that the FAA waive publication and public comment for good cause.

Aero Medical Products Mfg., Inc applied for the STC in June, 2013 and has commitments requiring an STC by Sept 2013. A delay in acting on the petition would be

detrimental to Aero Medical Products Mfg., Inc as well as delaying the deployment of lifesaving equipment.

### **Additional information, views, or arguments supporting this request**

This petition is consistent with Exemption No. 6625, 6920, 7318 and 7393, which were granted for LifePort litter installations in Cessna 750 (Citation X), Falcon 2000, Cessna Citation 560XL and Learjet 45, respectively. In this case, the intent for the exemption is for non-ambulatory persons. Aero Medical Products Mfg., Inc recommends that this intent be covered by:

- a limitation in the Flight Manual Supplement, and
- a conspicuously located placard that states that occupancy of the stretcher litter during takeoff and landing is for non-ambulatory persons only.

### **Operation outside the United States**

This exemption is intended for operation inside and outside the US as many people travel outside the US because we are a Global society seeking business with the world. The Gulfstream aircraft is a global type aircraft.

### ***Federal Register* publication**

The FAA has determined that good cause exists for waiving the requirement for *Federal Register* publication for public comment because the request is identical in all material respects to previously granted exemptions; the exemption, if granted, would not set a precedent; and any delay in acting on this petition would be detrimental to Aero Medical Products Mfg., Inc.

### **The FAA's analysis**

For the reasons stated by the petitioner, the FAA agrees that granting this petition is in the public interest. We have considered the cost implications and the overall benefits resulting from the use of a medical stretcher. The FAA agrees that demonstrating compliance with the requirements of § 25.562 would be difficult, if not impossible, and applying the existing pass/fail criteria to these installations is questionable. The need for medically fragile people to receive necessary and potentially life-saving medical attention outweighs the increase in the level of safety gained by requiring medical stretchers to meet dynamic testing requirements. Also, this exemption would permit the transportation of medically fragile people, from countries lacking the medical expertise or equipment to address a certain medical condition, to a country with more advanced medical expertise and facilities.

The FAA agrees that stretchers for medical use were not considered in the context of the dynamic-test requirements of § 25.562 when that regulation was developed. Occupancy of other berths during takeoff and landing for ambulatory persons was not considered feasible under the conditions of § 25.562; and for the purposes of compliance, stretchers are considered “berths.”

The FAA acknowledges that part 25 differs from other aircraft regulatory standards in this regard.

With respect to the overall level of safety, the FAA notes that full compliance with the requirements of § 25.561 will be required for the medical stretcher. This is consistent with the standards for all seats prior to the adoption of § 25.562. Thus, as noted by the petitioner, an alternative to this exemption would be to seek transportation on an airplane that does not require dynamic testing as part of its certification basis (i.e., an airplane with an earlier certification basis). While this alternative is a viable option, the FAA does not consider this a desirable approach. Airplanes certificated with § 25.562 included in their certification basis have incorporated many safety advances not found on earlier-model airplanes. It would be counterproductive to restrict this type of transportation to those earlier models.

The FAA also notes that the petition requests that an STC be issued by September 2013. In a conversation with Mr. Egan, he clarified the error, stating that an STC amendment is needed by March 2016.

### **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, Aero Medical Products Mfg., Inc., is granted an exemption from the requirements of 14 CFR 25.562 and 25.785(b) to the extent necessary to allow installation of a medical stretcher on Gulfstream Aerospace LP Model Gulfstream 200 and Galaxy series airplanes. The operating limitations section of the airplane flight manual supplement must state that occupancy of the stretcher berth is limited to non-ambulatory persons. In addition, the following text or equivalent text must be stated on a placard conspicuously located near the stretcher berth(s):

Occupancy is limited to non-ambulatory persons.

Issued in Renton, Washington, on March 25, 2016.

/s/

Michael Kaszycki  
Acting Manager, Transport Airplane Directorate  
Aircraft Certification Service