



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

# Policy Statement

**Subject:** Compliance with the Aisle  
Width Requirements of § 25.815

**Date:** 12/17/2012

**Policy No:**  
PS-ANM-25.815-01

**Initiated By:**  
ANM-100

## Summary

This policy statement supersedes the policy provided in Policy Memorandum 99-115-24, dated November 24, 1999, Information: Compliance with the Aisle Width Requirements of Title 14, Code of Federal Regulations (14 CFR) 25.815. Policy Memorandum 99-115-24 is no longer effective. This statement clarifies the scope of the policy with respect to the airplanes that are intended to be addressed and supplements existing advisory circulars. In addition, this policy also addresses some specific compliance questions raised during the public comment period.

## Definition of Key Terms

In the text below the terms “must,” “should,” and “recommend” have a specific meaning that is explained in Attachment 1.

For purposes of this policy statement, “aisle encroachment” means when interior furnishings are positioned such that the aisle width is reduced below the dimensions specified by § 25.815.

For the purpose of this policy statement, “in-flight” means other than “critical phases of flight” which includes all ground operations, involving taxi, takeoff, and landing and all other flight operations conducted below 10,000 feet, except cruise flight.

## Current Regulatory and Advisory Material

The regulation applicable to this subject is § 25.815. This section lays out the regulatory basis for the approval of aisles in transport category airplanes. Policy on this subject includes Policy Memorandum 99-115-24, Information: Compliance with the Aisle Width Requirements of § 25.815. This subject is also discussed in Advisory Circular (AC) 25-17A, *Transport Airplane Cabin Interiors Crashworthiness Handbook*, and Special Federal Aviation Regulation (SFAR) 109.

Section 25.815 requires that the main cabin aisle(s) on transport category airplanes be a specified width. The exact dimensions depend on passenger capacity. Although the rule itself does not

reference a specific phase of flight, it is generally acknowledged that the need for a prescribed aisle width derived from concerns about emergency evacuation. In addition, the rule has generally been applied to address the position of any interior features that can be moved to fixed, stable positions where they are used.

## Relevant Past Practice

The FAA has considered numerous factors involved with allowing aisles to be reduced below the dimensions specified by § 25.815 during flight. These factors include the wording of the pertinent regulation (as required by § 25.815), the use of placards to control the positioning of interior furnishings, the presence or lack of flight attendants, the size of the airplane, the exit arrangement, pertinent past compliance findings and service history. The application of § 25.815 has been influenced by evolving regulations and developments in industry.

1. **1963 Policy Memorandum.** In 1963, the FAA Western Region issued a policy memorandum that distinguished between air carriers and executive service operations with respect to the requirement to maintain a specified aisle width during all phases of flight. For executive service, the policy permitted aisle encroachment in flight (for example, by translating and/or swiveling seats) as long as clear instructions existed on restoring the required aisle width for taxi, takeoff, and landing. For air carrier operations, the memo stated that the required aisle width had to be maintained at all times.

In 1963, the distinction between the types of operations was believed to be relatively simple. For many, “executive service” aircraft were distinguishable from other types of air carrier aircraft. “Executive service” aircraft were generally cabin-equipped with fewer seats, but might have other features (e.g., swiveling chairs, executive desks, passenger sleeping quarters) that business executives or private owners would routinely use. The main distinguishing feature was that the same type of aircraft that might be used by an air carrier to transport members of the public at large (and thus have more seating available), would have fewer seats when the cabin was configured for executive service. From a safety perspective, it was believed that aircraft in “executive service” configuration would be easier to evacuate in the event of an emergency than the same aircraft when in normal/usual air carrier configuration.

2. **1999 Policy Memorandum 99-115-24.** The Transport Airplane Directorate issued Policy Memorandum 99-115-24, on November 24, 1999. It stated that aisle encroachment was acceptable in “executive use” airplanes but not in “air carrier operations.” The term “executive use” was derived from “executive service” as used in the 1963 policy memo. However, this terminology has proved problematic, in that the meaning of “executive use” or situations in which the agency would recognize an “executive use” have evolved over the years. As a result, the application of the aisle width provisions based on a seemingly ever-changing meaning for “executive use” has produced inconsistent results.

Additionally, while there is a statutory definition of “air carrier,” no regulation defines “executive use.” It may be that “executive use” is intended to be synonymous with the types of service popularly assumed to be conducted by airplanes termed “business jets,”

“bizjets,” and “corporate jets.” Unfortunately, FAA documentation offers no definition of these terms either.

3. **Evolution of “Executive Use” Aircraft.** The types of operations conducted by operators of the smaller transport airplanes have grown significantly in the past 15 to 20 years. The size of airplanes has also grown over the years, as evidenced by the Boeing 737 Business Jet and the Airbus A319 Corporate Jet. Of course, other airplanes that are the size of the Boeing 747 and Airbus A380 are privately owned and operated.

Nonetheless, over the last 40 to 50 years, the term “executive use” has typically been associated with airplanes that have been limited to 19 or fewer passengers by the exit configuration of the airplane. These include airplanes such as Gulfstream GIII/GIV/GV, Canadair Challengers, Dassault Falconjets, and Hawker Model 4000s.

These airplanes with 19 or fewer passengers are typically not used in part 121 operations, but they are very frequently used in part 135 operations. The term “air carrier” applies to operations conducted in both parts 121 and 135, although many operations conducted under part 135 are not air carrier operations.

#### 4. **Efforts to Provide a Consistent Level of Safety in Air Carrier Aircraft**

In the mid-1990s, the FAA updated the operating rules to provide a higher level of safety to the traveling public using scheduled air carriers, regardless of the type of aircraft being used. This effort resulted in the two following changes in regulatory requirements.

**a. The development of a new regulatory framework—14 CFR part 119.** The need to provide a consistent level of safety resulted in Amendments 121-251 and 135-58, and the adoption of 14 CFR part 119 in 1996. The intent of Amendments 121-251 and 135-58 was to provide one level of safety; however, all air carriers did not move to part 121. Several different types of current air carrier operations do not resemble what is commonly thought of as scheduled airline operations.

**b. The development of cabin safety standards for private use aircraft.** At the same time, the FAA was also working on defining an alternative set of cabin safety standards for transport category airplanes in private use (i.e., not for hire, not for common carriage) aircraft. The intent of this activity was to recognize that private owners, who made no pretense of providing commercial passenger service, were entitled to certain considerations with respect to the regulatory requirements. Specifically, the FAA is required by Title 49 United States Code (49 U.S.C. section 44701(d)) to consider differences between air transportation and other air commerce.

As a result, the FAA adopted SFAR 109. It applies to operations that are not for hire and “not for common carriage.” It contains a provision to preclude operation of any sort in part 135. Operation in accordance with SFAR 109 paragraph 11, “Width of Aisle” does permit reduction of the required aisle width in flight, but requires that a person be able to transit along the reduced (below the regulatory minimums) aisle width without undue effort. This requirement allows movement within the cabin during flight to address

inflight emergencies, such as fire or turbulence. However, SFAR 109 is a separate rule with its own criteria. In particular, SFAR 109 is limited to private use operations and addresses several different regulatory issues, of which aisle width is just one. This policy does not affect compliance with SFAR 109. Methodologies used to show compliance with aisle width provisions of SFAR 109 can also be used to meet the criteria in this policy.

Many owners of private aircraft also have part 119 certificates authorizing the transportation of people or property for compensation or hire. Sometimes private aircraft owners position or reposition an aircraft and conduct those flights empty. Aircraft owners that have part 119 certificates occasionally hold out the availability of their aircraft for hire and thus, occasionally hold out the availability of “empty leg” flights. When such aircraft owners hold out the availability of turbojet aircraft and hold out a “scheduled operation” as defined in 14 CFR part 119, those flights must be conducted under part 121. When non turbojet aircraft owners/operators (with aircraft that meet the size/weight specification for a 135 operation) hold out a scheduled operation, those non-turbojet aircraft operations must meet part 135 commuter rules—not merely part 135 on-demand rules.

## **5. The Treatment of Aisle Encroachment in Flight**

This policy primarily addresses the repositioning of interior features in flight (e.g., seats and tables), such that the new position encroaches into the required aisle width. Since 1999, numerous airplanes were approved with such features. Many of these airplanes are allowed to be operated under part 135. For these approvals, the main distinctions between executive use and air carrier operation, with respect to the aisle width requirement, were the type of interior arrangement and, to some extent, the size of the airplane. Interiors consisting of passenger seats in repetitive rows were generally not thought of as executive use, whereas interiors with divans and movable, swiveling seats on airplanes with 19 or fewer passenger seats were considered executive use. None of the latter airplanes operate in part 121.

On airplanes intended for part 121 operations, the aisle widths have been evaluated (i.e., measured) with certain interior furnishings in the worst possible position, e.g., reclining seat backs, swiveling and translating seats, and deploying and unfolding tables. Some cabin items under the control of flight attendants (e.g., galley or closet doors/drawers) were not deployed when making the aisle width evaluation. There are also situations where, during use or deployment, an interior component might transit through the required aisle width. These situations have historically not been addressed when finding compliance with § 25.815, unless they have fixed positions that encroach into the aisle. This policy does not change the way those items are assessed.

In other airplanes—typically in smaller transport category airplanes with exit configurations that would only allow a maximum of 19 passengers—the interior furnishings were not evaluated in the worst possible position. Instead, the aisle was evaluated with the furnishings placed in the taxi, takeoff, and landing (TT&L) position. In most cases, placards were located on or adjacent to the furnishing to indicate its

position for TT&L. However, this arrangement places the responsibility on the passengers to restore the furnishings to the TT&L position, especially if there is no flight attendant on board.<sup>1</sup>

In many cases, in accordance with the part 119 regulations, the operators of these airplanes with “executive interiors” hold “air carrier” certificates, authorizing part 135 operations, because they want to be able to “hold out” to the public that their airplanes are available for hire when the owners are not using them. Although these operators hold air carrier certificates from the FAA, they would have been viewed as being eligible for coverage as “executive use” under the 1963 and 1999 policy. The term air carrier is much more encompassing from a statutory and regulatory standpoint, and so continuing the use of that term in contrast with “executive use” in determining the applicability of this policy would unintentionally extend the restriction on maintaining the required aisle width to types of operations that had historically been permitted to have narrower aisle widths.

As a result of these developments, the terminology did not keep pace with the regulatory activity. The FAA carried out the two regulatory activities to distinguish between the types of operation and to make sure that the traveling public would see consistent application of the safety standards, based on the nature of the operation and the operating rule. With respect to the aisle width requirement, the only operational distinction that has been consistent is the maintenance of the required aisle at all times during flight in part 121 operations.

The net effect is that § 25.815 has been inconsistently applied for many years. The FAA has concluded that the policy should be revised to clarify the requirements for air carriers and executive use aircraft in unambiguous terms.

## **Policy**

This policy allows the main passenger aisle of aircraft to be reduced to less than the minimum dimension required by 14 CFR 25.815 in flight (but not during critical phases of flight) under all of the following conditions:

1. The airplane is not listed, or required to be listed, in any air carrier operations specifications for part 121 operations or clearly equivalent non-US operations.
2. All areas of the cabin remain easily accessible in the event of an in-flight emergency (e.g., fire or decompression) with interior furnishings, such as seats and credenzas, that have fixed positions in the most adverse positions. This does not include features such as lavatory doors, or armrest caps, or stowage compartment doors that might encroach into the aisle when open or while being operated. Accessibility must be shown in a manner acceptable to the FAA. This may involve tests, or analysis supported by test data, or,

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<sup>1</sup> The various operating rules, e.g., parts 91, 121, 125, and 135, do not require a flight attendant on board for airplanes with 19 or fewer passengers (either maximum passenger capacity or actual passengers on board depending on the rule), except for part 121, which requires a flight attendant for more than 9 passengers, but only if the airplane has a maximum payload of more than 7,500 pounds (see § 121.391).

where appropriate, inspection. When assessing cabin accessibility, it is not necessary to consider the possible consequences of the emergency on interior furnishings.

3. The airplane is limited to 19 or fewer passengers.
4. Any interior furnishing (e.g., seat, table, or divider) that can be positioned to intrude into the aisle is clearly placarded to be in the proper (i.e., not intruding into the minimum required aisle) location during taxi, takeoff, and landing.
5. The effectiveness and meaning of the placard discussed in 4 above, has been demonstrated to be understandable and easily viewed by naïve persons.
6. The following are conditions for which tests may be needed:
  - a. The aisle is reduced to zero at a height off the floor that is not easily stepped over, i.e., a person must step or walk on the interior feature(s) causing the reduction in aisle width.
  - b. There is more than one location along the aisle where a person cannot pass without stepping over, or going around, the interior feature(s) causing the reduction in aisle width.
7. When naïve subject testing is necessary, subjects should be able to traverse the aisle without extraordinary effort and significant delay. In this case, “significant delay” is at least three times as long as it takes to traverse the aisle in the unobstructed condition. Test subjects should vary in stature and consist of both males and females.
8. The operation to return the interior furnishings to their proper TT&L positions has been shown to be easily accomplished by naïve persons. This is particularly significant, for example, for a seat that can translate (relative to its base) fore and aft, inboard and outboard, swivel, recline, or extend a leg rest, or a side-facing divan that can be deployed into a bed.

## **Effect of Policy**

The general policy stated in this document does not constitute a new regulation. Agency employees and their designees and delegations must not depart from this policy statement without appropriate justification and concurrence from the FAA management that issued this policy statement. The authority to deviate from this policy statement is delegated to the Transport Standards Staff Manager.

Whenever a proposed method of compliance is outside this established policy, the project aircraft certification office has to coordinate it with the policy issuing office using an issue paper. Similarly, if the project aircraft certification office becomes aware of reasons that an applicant’s proposal that meets this policy should not be approved, the office must coordinate its response with the policy issuing office. Applicants should expect that certificating officials would consider this information when making findings of compliance relevant to new certificate

actions. In addition, as with all guidance material, this policy statement identifies one means, but not the only means, of compliance.

## **Implementation**

This policy discusses compliance methods that should be applied to type certificate, amended type certificate, supplemental type certificate, and amended supplemental type certification programs. In addition, this policy is applicable to compliance findings in support of major alterations. The compliance methods apply to those programs with an application date that is on or after the effective date of the final policy. If the date of application precedes the effective date of the final policy, and the methods of compliance have already been coordinated with and approved by the FAA or its designee, the applicant may choose to either follow the previously acceptable methods of compliance or follow the guidance contained in this policy.

## **Conclusion**

The FAA has concluded that compliance with the dimensions of § 25.815 is required for all phases of flight for part 121 operation, not including the effect of certain operational features that transiently encroach into the aisle. Under certain conditions as discussed above, it is acceptable for movable features to reduce the aisle width in flight only, when airplanes are operating outside of part 121.

K.C. Yanamura  
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**Terms**

Table A-1 defines the use of key terms in this policy statement. The table describes the intended functional impact.

Table A-1 Definition of Key Terms

	<b>Regulatory Requirements</b>	<b>Acceptable Methods of Compliance (MOC)</b>	<b>Recommendations</b>
<b>Language</b>	Must	Should	Recommend
<b>Meaning</b>	Refers to a regulatory requirement that is mandatory for design approval	Refers to instructions for a particular MOC	Refers to a recommended practice that is optional
<b>Functional Impact</b>	No Design Approval if not met	Alternative MOC has to be approved by issue paper.	None, because it is optional