Memorandum

U.S. Department
of Transportation

**Federal Aviation
Administration**

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

Date: NOV 24 1999

From: Manager, Transport Standards Staff, Aircraft Certification Service, ANM-110

Reply to Attn. of: 99-115-24

To: See Distribution List

The Transport Airplane Directorate (TAD) recently launched an initiative to stop a long-standing practice at several aircraft certification offices (ACO) to allow encroachment into the aisle widths mandated by § 25.815 in airplanes in private use service. The encroachment typically occurred when seats were swiveled, tracked or reclined into positions that reduced the aisles below the specified minimum dimensions. Occasionally other interior furnishings, such as tables, could also be placed into positions that encroached into the aisles.

The initiative was intended to consist of several stages, the first being to require that current programs which allowed encroachment into the required aisle widths during flight, include petitions for exemption to the requirements of § 25.815. These petitions could incorporate the concept of "detrimental reliance" on previous approvals of such encroachments as an argument for granting the petitions. TAD records indicate that four such petitions were processed and approved.

As a further consequence of the initiative, a letter was received from the General Aviation Manufacturers Association (GAMA), which raised several issues relevant to the initiative. The letter argued that the previously allowed inflight aisle encroachments were acceptable, and requested that the requirement for processing petitions for exemption prior to approving designs which allowed such encroachments be terminated. In addition to the GAMA letter, an internal FAA memorandum issued in 1963 by the Western Region was uncovered, which stated that inflight aisle blockage on executive use airplanes is permissible.

After careful deliberation of the issues raised in the GAMA letter in concert with the information in the memorandum, the TAD, in conjunction with the Regional Counsel's office, has determined that the past practices of the ACOs have established an FAA policy on aisle encroachment for executive use airplanes that can only be changed through rulemaking. Based on that determination, the TAD is now recommending that projects on executive use airplanes be processed using the aisle criteria that have been historically used in each ACO. It should be noted that a clear distinction has been drawn between airplanes in executive use versus airplanes in air carrier operations. Aisle encroachment by passenger

seats has not been allowed on airplanes in air carrier service, and this prohibition should also be continued.

Please be advised, however, that the TAD is considering initiating rulemaking to address the issue of providing adequate aisles to address potential inflight emergencies in all transport catefory airplanes.

If you have any questions, please contact Mr. Jayson Claar, (425) 227-2194, of my staff.

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Concur:

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Manager, Transport Airplane Directorate

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