

(b) *Weights of more than 26,900 for the DC-3 and 19,500 for the L-18.* New maximum certificated weights of more than 26,900 pounds for DC-3 and 19,500 pounds for L-18 airplanes shall be established in accordance with the structural performance, flight characteristics, and ground handling requirements of Part 4b: *Provided*, That where literal compliance with the structural requirements of Part 4b is extremely difficult to accomplish and would not contribute materially to the objective sought, and the Administrator finds that the experience with the DC-3 or L-18 airplanes justifies it, he is authorized to accept such measures of compliance as he finds will effectively accomplish the basic objective.

(c) *Airplane flight manual-performance operating information.* An approved airplane flight manual shall be provided for each DC-3 and L-18 airplane which has had new maximum certificated weights established under this section. The airplane flight manual shall contain the applicable performance information prescribed in that part of the regulations under which the new certificated weights were established and such additional information as may be necessary to enable the application of the take-off, en route, and landing limitations prescribed for transport category airplanes in the operating parts of the Civil Air Regulations.

(d) *Performance operating limitations.* Each airplane for which new maximum certificated weights are established in accordance with paragraphs (a) or (b) of this section shall be considered a transport category airplane for the purpose of complying with the performance operating limitations applicable to the operations in which it is utilized.

5. *Reference.* Unless otherwise provided, all references in this regulation to Part 4a and Part 4b are those parts of the Civil Air Regulations in effect on September 1, 1953.

This regulation supersedes Special Civil Air Regulation SR-398 and shall remain effective until superseded or rescinded by the Board.

[19 FR 5039, Aug. 11, 1954. Redesignated at 29 FR 19099, Dec. 30, 1964]

SPECIAL FEDERAL AVIATION REGULATION No. 109

1. *Applicability.* Contrary provisions of 14 CFR parts 21, 25, and 119 of this chapter notwithstanding, an applicant is entitled to an amended type certificate or supplemental type certificate in the transport category, if the applicant complies with all applicable provisions of this SFAR.

Operations

2. *General.*

(a) The passenger capacity may not exceed 60. If more than 60 passenger seats are installed, then:

(1) If the extra seats are not suitable for occupancy during taxi, takeoff and landing, each extra seat must be clearly marked (e.g., a placard on the top of an armrest, or a placard sewn into the top of the back cushion) that the seat is not to be occupied during taxi, takeoff and landing.

(2) If the extra seats are suitable for occupancy during taxi, takeoff and landing (*i.e.*, meet all the strength and passenger injury criteria in part 25), then a note must be included in the Limitations Section of the Airplane Flight Manual that there are extra seats installed but that the number of passengers on the airplane must not exceed 60. Additionally, there must be a placard installed adjacent to each door that can be used as a passenger boarding door that states that the maximum passenger capacity is 60. The placard must be clearly legible to passengers entering the airplane.

(b) For airplanes outfitted with interior doors under paragraph 10 of this SFAR, the airplane flight manual (AFM) must include an appropriate limitation that the airplane must be staffed with at least the following number of flight attendants who meet the requirements of 14 CFR 91.533(b):

(1) The number of flight attendants required by §91.533(a)(1) and (2) of this chapter, and

(2) At least one flight attendant if the airplane model was originally certified for 75 passengers or more.

(c) The AFM must include appropriate limitation(s) to require a preflight passenger briefing describing the appropriate functions to be performed by the passengers and the relevant features of the airplane to ensure the safety of the passengers and crew.

(d) The airplane may not be offered for common carriage or operated for hire. The operating limitations section of the AFM must be revised to prohibit any operations involving the carriage of persons or property for compensation or hire. The operators may receive remuneration to the extent consistent with parts 125 and 91, subpart F, of this chapter.

(e) A placard stating that "Operations involving the carriage of persons or property for compensation or hire are prohibited," must be located in the area of the Airworthiness Certificate holder at the entrance to the flightdeck.

(f) For passenger capacities of 45 to 60 passengers, analysis must be submitted that demonstrates that the airplane can be evacuated in less than 90 seconds under the conditions specified in §25.803 and appendix J to part 25.

(g) In order for any airplane certified under this SFAR to be placed in part 135 or part 121 operations, the airplane must be brought