(c) Notwithstanding paragraph (b) of this section, a certificate holder conducting domestic, flag, or supplemental operations may apply the flightcrew member flight time and duty limitations and rest requirements of part 117 of this chapter to flight attendants for all operations conducted under this part provided that—

(1) The certificate holder establishes written procedures that—

(i) Apply to all flight attendants used in the certificate holder's operation;

(ii) Include the flightcrew member requirements contained in part 117, as appropriate to the operation being conducted, except that rest facilities on board the aircraft are not required;

(iii) Include provisions to add one flight attendant to the minimum flight attendant complement for each flightcrew member who is in excess of the minimum number required in the aircraft type certificate data sheet and who is assigned to the aircraft under the provisions of part 117, as applicable, of this part;

(iv) Are approved by the Administrator and are described or referenced in the certificate holder's operations specifications; and

(2) Whenever the Administrator finds that revisions are necessary for the continued adequacy of the written procedures that are required by paragraph (c)(1) of this section and that had been granted final approval, the certificate holder must, after notification by the Administrator, make any changes in the procedures that are found necessary by the Administrator. Within 30 days after the certificate holder receives such notice, it may file a petition to reconsider the notice with the responsible Flight Standards office. The filing of a petition to reconsider stays the notice, pending decision by the Administrator. However, if the Administrator finds that an emergency requires immediate action in the interest of safety, the Administrator may, upon a statement of the reasons, require a change effective without stay.

[Amdt. 121–241, 59 FR 42991, Aug. 19, 1994, as amended by Amdt. 121–253, 61 FR 2612, Jan. 26, 1996; Amdt. 121–357, 77 FR 402, Jan. 4, 2012; Amdt. 121–357A, 77 FR 28764, May 16, 2012; Docket FAA–2018–0119, Amdt. 121–380, 83 FR 9172, Mar. 5, 2018]

Subpart Q—Flight Time Limitations and Rest Requirements: Domestic Operations

§ 121.470 Applicability.

This subpart prescribes flight time limitations and rest requirements for domestic all-cargo operations, except that:

(a) Certificate holders conducting operations with airplanes having a passenger seat configuration of 30 seats or fewer, excluding each crewmember seat, and a payload capacity of 7,500 pounds or less, may comply with the applicable requirements of §§ 135.261 through 135.273 of this chapter.

(b) Certificate holders conducting scheduled operations entirely within the States of Alaska or Hawaii with airplanes having a passenger seat configuration of more than 30 seats, excluding each crewmember seat, or a payload capacity of more than 7,500 pounds, may comply with the requirements of this subpart or subpart R of this part for those operations.

(c) A certificate holder may apply the flightcrew member flight time and duty limitations and requirements of part 117 of this chapter. A certificate holder may choose to apply part 117 to its—

(1) Cargo operations conducted under contract to a U.S. government agency.

(2) All-cargo operations not conducted under contract to a U.S. Government agency,

(3) A certificate holder may elect to treat operations in paragraphs (c)(1) and (c)(2) of this section differently but, once having decided to conduct those operations under part 117, may not segregate those operations between this subpart and part 117.

[Doc. No. FAA–2009–1093, 77 FR 402, Jan. 4, 2012; Amdt. 121–357, 78 FR 69288, Nov. 19, 2013]

§ 121.471 Flight time limitations and rest requirements: All flight crewmembers.

(a) No certificate holder conducting domestic operations may schedule any flight crewmember and no flight crewmember may accept an assignment for