

holder was approved by the FAA through Type Certificate or Supplemental Type Certificate; or

(4) That the seat or child restraint device furnished by the certificate holder, or one of the persons described in paragraph (b)(2)(i) of this section, was approved by the FAA in accordance with § 21.8(d) of this chapter or Technical Standard Order C-100b, or a later version. The child restraint device manufactured by AmSafe, Inc. (CARES, Part No. 4082) and approved by the FAA in accordance with § 21.305(d) (2010 ed.) of this chapter may continue to bear a label or markings showing FAA approval in accordance with § 21.305(d) (2010 ed.) of this chapter.

(D) Except as provided in § 125.211(b)(2)(ii)(C)(3) and § 125.211(b)(2)(ii)(C)(4), booster-type child restraint systems (as defined in Federal Motor Vehicle Safety Standard No. 213 (49 CFR 571.213)), vest- and harness-type child restraint systems, and lap held child restraints are not approved for use in aircraft; and

(iii) The certificate holder complies with the following requirements:

(A) The restraint system must be properly secured to an approved forward-facing seat or berth;

(B) The child must be properly secured in the restraint system and must not exceed the specified weight limit for the restraint system; and

(C) The restraint system must bear the appropriate label(s).

(c) Except as provided in paragraph (c)(3) of this section, the following prohibitions apply to certificate holders:

(1) Except as provided in § 125.211(b)(2)(ii)(C)(3) and § 125.211(b)(2)(ii)(C)(4), no certificate holder may permit a child, in an aircraft, to occupy a booster-type child restraint system, a vest-type child restraint system, a harness-type child restraint system, or a lap held child restraint system during take off, landing, and movement on the surface.

(2) Except as required in paragraph (c)(1) of this section, no certificate holder may prohibit a child, if requested by the child's parent, guardian, or designated attendant, from occupying a child restraint system furnished by the child's parent, guardian, or designated attendant provided:

(i) The child holds a ticket for an approved seat or berth or such seat or berth is otherwise made available by the certificate holder for the child's use;

(ii) The requirements of paragraph (b)(2)(i) of this section are met;

(iii) The requirements of paragraph (b)(2)(iii) of this section are met; and

(iv) The child restraint system has one or more of the labels described in paragraphs (b)(2)(ii)(A) through (b)(2)(ii)(C) of this section.

(3) This section does not prohibit the certificate holder from providing child restraint systems authorized by this section or, consistent with safe operating practices, determining the most appropriate passenger seat location for the child restraint system.

(d) Each sideward facing seat must comply with the applicable requirements of § 25.785(c) of this chapter.

(e) No certificate holder may take off or land an airplane unless each passenger seat back is in the upright position. Each passenger shall comply with instructions given by a crewmember in compliance with this paragraph. This paragraph does not apply to seats on which cargo or persons who are unable to sit erect for a medical reason are carried in accordance with procedures in the certificate holder's manual if the seat back does not obstruct any passenger's access to the aisle or to any emergency exit.

(f) Each occupant of a seat equipped with a shoulder harness must fasten the shoulder harness during takeoff and landing, except that, in the case of crewmembers, the shoulder harness need not be fastened if the crewmember cannot perform his required duties with the shoulder harness fastened.

[Doc. No. 19799, 45 FR 67235, Oct. 9, 1980, as amended by Amdt. 125-17, 57 FR 42674, Sept. 15, 1992; Amdt. 125-26, 61 FR 28422, June 4, 1996; Amdt. 125-48, 70 FR 50907, Aug. 26, 2005; Amdt. 125-51, 71 FR 40009, July 14, 2006; 71 FR 59373, Oct. 10, 2006; Amdt. 125-64, 79 FR 28812, May 20, 2014]

#### § 125.213 Miscellaneous equipment.

No person may conduct any operation unless the following equipment is installed in the airplane: