



U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
Aviation Rulemaking Committee Charter

Effective Date: 4/24/2019

**SUBJECT: Emergency Evacuation Standards Aviation Rulemaking Committee**

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1. **PURPOSE.** This charter establishes the Emergency Evacuation Standards Aviation Rulemaking Committee (ARC), according to the Administrator's authority under Title 49 of the United States Code (49 U.S.C. § 106(p)(5)). The sponsor of the ARC is the Associate Administrator for Aviation Safety. This charter outlines the ARC's organization, responsibilities, and tasks.
2. **BACKGROUND.** The FAA Reauthorization Act of 2018 (Pub. L. 115-254), section 337, Aircraft Cabin Evaluation Procedures, requires the following:
  - (a) *REVIEW.—The Administrator of the Federal Aviation Administration shall review—*
    - (1) *evacuation certification of transport-category aircraft used in air transportation, with regard to—*
      - (A) *emergency conditions, including impacts into water;*
      - (B) *crew procedures used for evacuations under actual emergency conditions;*
      - (C) *any relevant changes to passenger demographics and legal requirements, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), that affect emergency evacuations; and*
      - (D) *any relevant changes to passenger seating configurations, including changes to seat width, padding, reclining, size, pitch, leg room, and aisle width; and*
    - (2) *recent accidents and incidents in which passengers evacuated such aircraft.*
  - (b) *CONSULTATION; REVIEW OF DATA.—In conducting the review under subsection (a), the Administrator shall—*
    - (1) *consult with the National Transportation Safety Board, transport-category aircraft manufacturers, air carriers, and other relevant experts and Federal agencies, including groups representing passengers, airline crew members, maintenance employees, and emergency responders; and*
    - (2) *review relevant data with respect to evacuation certification of transport-category aircraft.*
  - (c) *REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a) and related recommendations, if any, including recommendations for revisions to the assumptions and methods used for assessing evacuation certification of transport-category aircraft.*

A related provision in the FAA Reauthorization Act of 2018, section 323, Exit Rows, requires:

- (a) *REVIEW.—The Administrator shall conduct a review of current safety procedures regarding unoccupied exit rows on a covered aircraft in passenger air transportation during all stages of flight.*

*(b) CONSULTATION.—In carrying out the review, the Administrator shall consult with air carriers, aviation manufacturers, and labor stakeholders.*

*(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the review.*

*(d) COVERED AIRCRAFT DEFINED.—In this section, the term “covered aircraft” means an aircraft operating under part 121 of title 14, Code of Federal Regulations.*

This review of exit row procedures will be a subtask of the Emergency Evacuation Standards ARC.

The Emergency Evacuation Standards ARC will not address impacts into water (ditching) because that topic has already been evaluated. The FAA previously tasked the Aviation Rulemaking Advisory Committee (ARAC) to examine the FAA’s requirements for impacts into water (ditching) and make recommendations for changes to FAA rules and guidance in that regard (80 FR 31946, June 4, 2015). The ARAC submitted the recommendations to the FAA on October 22, 2018.

The Emergency Evacuation Standards ARC will also not address the impact of seat dimensions and passenger demographics on evacuation capabilities, because that topic is already under evaluation. The FAA Civil Aerospace Medical Institute is currently testing the effect of seat dimensions and passenger demographics on evacuation capability.

3. **OBJECTIVES OF THE ARC.** The ARC will provide a forum for affected parties to discuss and provide recommendations to the FAA on certification of emergency evacuation systems, designs, and procedures. For any recommendation to change regulatory requirements, the ARC will provide cost and benefit estimates.
4. **TASKS OF THE ARC.** The tasks of the ARC are:
  - a. Review and become familiar with current evacuation system rules and advisory material and previous recommendation reports on this subject submitted to the FAA by the ARAC.
  - b. Review available data from the past ten years of accidents and incidents in which passengers evacuated transport category aircraft used in air transportation.
  - c. Review the considerations listed in sections 337 and 323 of the FAA Reauthorization Act of 2018 with the exception of ditching and passenger seat dimensions.
  - d. Identify any safety issues to be addressed based on available accident and incident data.
  - e. Develop recommendations in the following categories:
    - i. Evacuation system design and testing.
    - ii. Evacuation procedures, including exit row seating.

- f. For each recommendation to change regulations, include:
  - i. Estimates of cost to implement the change, including both safety and monetary costs.
  - ii. Estimates of benefits to the public, including both safety and monetary benefits.

Within 5 months from the first meeting after the effective date of the charter, submit a recommendation report to the FAA Co-Chair and the Director of the Office of Rulemaking.

## **5. ARC PROCEDURES.**

- a. The ARC acts solely in an advisory capacity by advising and providing written recommendations to the FAA Co-Chair.
- b. The ARC may propose related follow-on tasks outside the stated scope of the ARC to the FAA Co-Chair.
- c. The ARC may reconvene following the submission of the recommendation report for the purposes of providing advice and assistance to the FAA, at the discretion of the FAA Co-Chair, provided the charter is still in effect.

- 6. ARC ORGANIZATION, MEMBERSHIP, AND ADMINISTRATION.** The FAA will set up a committee of members from the aviation community. Members will be selected based on their familiarity and experience with evacuation system design and evacuation procedures. Membership will be balanced in viewpoints, interests, and knowledge of the committee's objectives and scope.

The provisions of the August 13, 2014, Office of Management and Budget (OMB) guidance, "Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions" (79 FR 47482), continues the ban on registered lobbyists participating on Agency Boards and Commissions if participating in their "individual capacity." The revised guidance allows registered lobbyists to participate on Agency Boards and Commissions in a "representative capacity" for the "express purpose of providing a committee with the views of a nongovernmental entity, a recognizable group of persons or nongovernmental entities (an industry, sector, labor unions, or environmental groups, etc.) or state or local government." For further information, refer to the OMB Guidance at 79 FR 47482.

Membership is limited to promote discussion. Attendance, active participation, and commitment by members is essential for achieving the objectives and tasks. When necessary, the ARC may set up specialized and temporary working groups that include at least one ARC member and invited subject matter experts from industry and government.

The ARC membership will consist of airplane manufacturers, airplane seat manufacturers, aviation escape system manufacturers, part 121 air carriers, the National Transportation Safety Board, and organizations representing flight attendants, airline maintenance employees, airline passengers and airport emergency responders. The FAA will also invite foreign aviation

regulatory authorities to participate as observers. FAA and other Agency subject matter experts may be requested to participate as observers and to provide technical support to the ARC members.

- a. At the request of the Sponsor, Aircraft Certification Service will function as the FAA Co-Chair and will:
    - 1) Select and appoint industry and the FAA participants as members,
    - 2) Select the Industry Co-Chair from the membership of the ARC,
    - 3) Ensure FAA participation and support from all affected lines-of-business,
    - 4) Provide notification to the members of the time and place for each meeting, and
    - 5) Receive any status report and the recommendations report.
  - b. Once appointed, the Industry Co-Chair will:
    - 1) Coordinate required ARC meetings in order to meet the objectives and timelines,
    - 2) Establish and distribute meeting agendas in a timely manner,
    - 3) Keep meeting notes, if deemed necessary,
    - 4) Perform other responsibilities as required to ensure the objectives are met,
    - 5) Provide status reports, as requested, in writing to the FAA Co-Chair, and
    - 6) Submit the recommendation report to the FAA Co-Chair and the Director of the Office of Rulemaking.
7. **PUBLIC PARTICIPATION.** Meetings are not open to the public. Persons or organizations outside the ARC who wish to attend a meeting must get approval in advance of the meeting from the Industry Co-Chair and the FAA Co-Chair.
8. **AVAILABILITY OF RECORDS.** Consistent with the Freedom of Information Act, Title 5, U.S.C., § 552, records, reports, agendas, working papers, and other documents that are made available to or prepared for or by the ARC will be available for public inspection and copying at the Office of Rulemaking, FAA Headquarters, 800 Independence Ave. SW, Washington, D.C. 20591. Fees will be charged for information furnished to the public according to the fee schedule published in Title 49 of the Code of Federal Regulations, Part 7.

You can find this charter on the FAA Committee Database website at:

[http://www.faa.gov/regulations\\_policies/rulemaking/committees/documents/](http://www.faa.gov/regulations_policies/rulemaking/committees/documents/).

9. **DISTRIBUTION.** This charter is distributed to the Office of the Associate Administrator for Aviation Safety, the Office of the Chief Counsel, and the Office of Rulemaking.

**10. EFFECTIVE DATE AND DURATION.** The ARC is effective upon issuance of this charter and will remain in existence for a maximum of 24 months, unless the charter is suspended sooner, terminated, or extended by the Administrator.

Issued in Washington, D.C. on April 24, 2019.

A handwritten signature in black ink, appearing to read "DK Elwell". The signature is written in a cursive, somewhat stylized font.

Daniel K. Elwell  
Acting Administrator