

must be given before reaching the overwater part of the flight.

[Doc. No. 2033, 30 FR 3206, Mar. 9, 1965, as amended by Amdt. 121-144, 43 FR 22648, May 25, 1978; Amdt. 121-146, 43 FR 28403, June 29, 1978]

§ 121.574 Oxygen for medical use by passengers.

(a) A certificate holder may allow a passenger to carry and operate equipment for the storage, generation, or dispensing of oxygen when the following conditions are met:

(1) The equipment is—

(i) Furnished by the certificate holder;

(ii) Of an approved type or is in conformity with the manufacturing, packaging, marking, labeling, and maintenance requirements of 49 CFR parts 171, 172, and 173, except § 173.24(a)(1);

(iii) Maintained by the certificate holder in accordance with an approved maintenance program;

(iv) Free of flammable contaminants on all exterior surfaces;

(v) Capable of providing a minimum mass flow of oxygen to the user of four liters per minute;

(vi) Constructed so that all valves, fittings, and gauges are protected from damage; and

(vii) Appropriately secured.

(2) When the oxygen is stored in the form of a liquid, the equipment has been under the certificate holder's approved maintenance program since its purchase new or since the storage container was last purged.

(3) When the oxygen is stored in the form of a compressed gas as defined in 49 CFR 173.300(a)—

(i) The equipment has been under the certificate holder's approved maintenance program since its purchase new or since the last hydrostatic test of the storage cylinder; and

(ii) The pressure in any oxygen cylinder does not exceed the rated cylinder pressure.

(4) Each person using the equipment has a medical need to use it evidenced by a written statement to be kept in that person's possession, signed by a licensed physician which specifies the maximum quantity of oxygen needed each hour and the maximum flow rate needed for the pressure altitude cor-

responding to the pressure in the cabin of the airplane under normal operating conditions. This paragraph does not apply to the carriage of oxygen in an airplane in which the only passengers carried are persons who may have a medical need for oxygen during flight, no more than one relative or other interested person for each of those persons, and medical attendants.

(5) When a physician's statement is required by paragraph (a)(4) of this section, the total quantity of oxygen carried is equal to the maximum quantity of oxygen needed each hour, as specified in the physician's statement, multiplied by the number of hours used to compute the amount of airplane fuel required by this part.

(6) The pilot in command is advised when the equipment is on board, and when it is intended to be used.

(7) The equipment is stowed, and each person using the equipment is seated, so as not to restrict access to or use of any required emergency, or regular exit or of the aisle in the passenger compartment.

(b) No person may, and no certificate holder may allow any person to, smoke within 10 feet of oxygen storage and dispensing equipment carried in accordance with paragraph (a) of this section.

(c) No certificate holder may allow any person to connect or disconnect oxygen dispensing equipment, to or from a gaseous oxygen cylinder while any passenger is aboard the airplane.

(d) The requirements of this section do not apply to the carriage of supplemental or first-aid oxygen and related equipment required by this chapter.

[Doc. No. 12169, 39 FR 42677, Dec. 6, 1974, as amended by Amdt. 121-159, 45 FR 41594, June 19, 1980]

§ 121.575 Alcoholic beverages.

(a) No person may drink any alcoholic beverage aboard an aircraft unless the certificate holder operating the aircraft has served that beverage to him.

(b) No certificate holder may serve any alcoholic beverage to any person aboard any of its aircraft who—

(1) Appears to be intoxicated;

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(2) Is escorting a person or being escorted in accordance with 49 CFR 1544.221; or

(3) Has a deadly or dangerous weapon accessible to him while aboard the aircraft in accordance with 49 CFR 1544.219, 1544.221, or 1544.223.

(c) No certificate holder may allow any person to board any of its aircraft if that person appears to be intoxicated.

(d) Each certificate holder shall, within five days after the incident, report to the Administrator the refusal of any person to comply with paragraph (a) of this section, or of any disturbance caused by a person who appears to be intoxicated aboard any of its aircraft.

[Doc. No. 6258, 29 FR 19219, Dec. 31, 1964, as amended by Amdt. 121-118, 40 FR 17552, Apr. 21, 1975; Amdt. 121-178, 47 FR 13316, Mar. 29, 1982; Amdt. 121-275, 67 FR 31932, May 10, 2002]

§ 121.576 Retention of items of mass in passenger and crew compartments.

The certificate holder must provide and use means to prevent each item of galley equipment and each serving cart, when not in use, and each item of crew baggage, which is carried in a passenger or crew compartment from becoming a hazard by shifting under the appropriate load factors corresponding to the emergency landing conditions under which the airplane was type certificated.

[Doc. No. 16383, 43 FR 22648, May 25, 1978]

§ 121.577 Stowage of food, beverage, and passenger service equipment during airplane movement on the surface, takeoff, and landing.

(a) No certificate holder may move an airplane on the surface, take off, or land when any food, beverage, or tableware furnished by the certificate holder is located at any passenger seat.

(b) No certificate holder may move an airplane on the surface, take off, or land unless each food and beverage tray and seat back tray table is secured in its stowed position.

(c) No certificate holder may permit an airplane to move on the surface, take off, or land unless each passenger serving cart is secured in its stowed position.

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(d) No certificate holder may permit an airplane to move on the surface, take off, or land unless each movie screen that extends into an aisle is stowed.

(e) Each passenger shall comply with instructions given by a crewmember with regard to compliance with this section.

[Doc. No. 26142, 57 FR 42674, Sept. 15, 1992]

§ 121.578 Cabin ozone concentration.

(a) For the purpose of this section, the following definitions apply:

(1) *Flight segment* means scheduled nonstop flight time between two airports.

(2) *Sea level equivalent* refers to conditions of 25 °C and 760 millimeters of mercury pressure.

(b) Except as provided in paragraphs (d) and (e) of this section, no certificate holder may operate an airplane above the following flight levels unless it is successfully demonstrated to the Administrator that the concentration of ozone inside the cabin will not exceed—

(1) For flight above flight level 320, 0.25 parts per million by volume, sea level equivalent, at any time above that flight level; and

(2) For flight above flight level 270, 0.1 parts per million by volume, sea level equivalent, time-weighted average for each flight segment that exceeds 4 hours and includes flight above that flight level. (For this purpose, the amount of ozone below flight level 180 is considered to be zero.)

(c) Compliance with this section must be shown by analysis or tests, based on either airplane operational procedures and performance limitations or the certificate holder's operations. The analysis or tests must show either of the following:

(1) Atmospheric ozone statistics indicate, with a statistical confidence of at least 84%, that at the altitudes and locations at which the airplane will be operated cabin ozone concentrations will not exceed the limits prescribed by paragraph (b) of this section.

(2) The airplane ventilation system including any ozone control equipment, will maintain cabin ozone concentrations at or below the limits prescribed by paragraph (b) of this section.