



Appendix 2 to Decisions 2017/005/R–2017/012/R

Passenger Seating and Briefing

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1. Summary of the outcome of the consultation

75 comments were submitted by 23 commentators, including six EU competent aviation authorities, one non-EU competent authority, eight organisations/associations, seven individual air operators and one individual. 17 comments were accepted, 15 partially accepted, 31 comments were noted and 12 comments were not accepted.

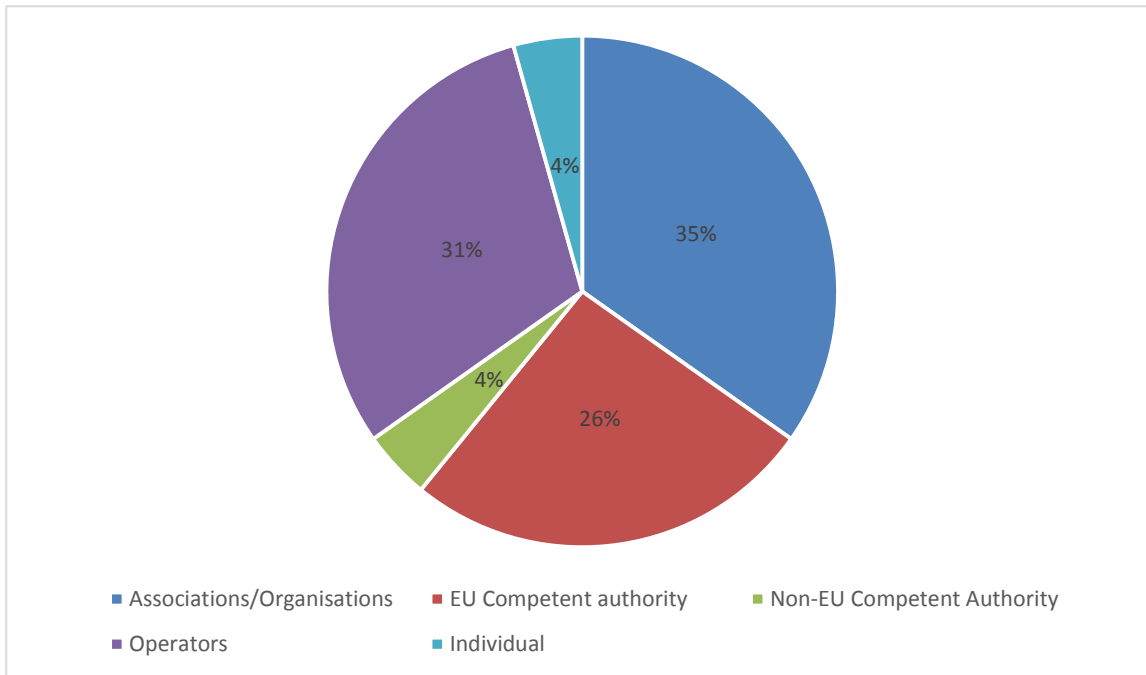


Figure 1: Comments received on NPA 2015-18(C)

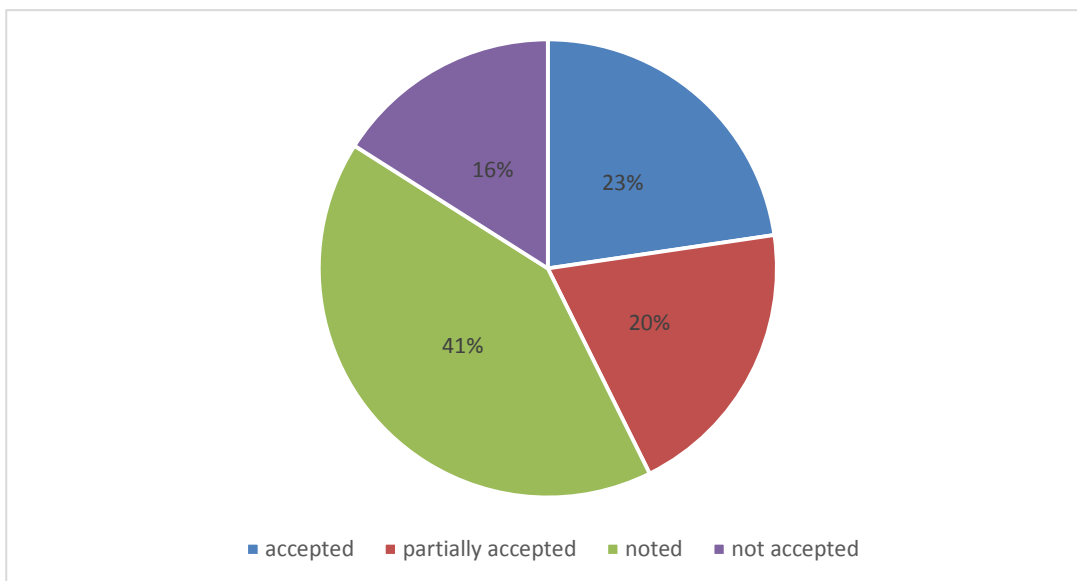


Figure 2: Repartition of the responses to the comments on NPA 2015-18(C)

2. Individual comments and responses

In responding to comments, a standard terminology has been applied to attest the Agency's position. This terminology is as follows:

- (a) **Accepted** — The Agency agrees with the comment and any proposed amendment is wholly transferred to the revised text.
- (b) **Partially accepted** — The Agency either agrees partially with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.
- (c) **Noted** — The Agency acknowledges the comment but no change to the existing text is considered necessary.
- (d) **Not accepted** — The comment or proposed amendment is not shared by the Agency.

(General Comments)

comment

5

comment by: *NHF Technical committee*

Norsk Helikopteransattes Forbund does not have any comments to this NPA.

response

Noted

comment

6

comment by: *Av Reg*

As Helicopter Emergency Medical Services (HEMS) are classified as Commercial Air Transport (CAT) it is suggested that a general exemption should be included from the requirements for briefing passengers (medical passengers and HEMS patients) because Part SPA.HEMS.135 specifically covers this requirement in detail with regard to HEMS operations.

response

Not accepted

For HEMS operations SPA.HEMS.135 is applicable rather than CAT.OP.MPA.170 for those operators that have been granted the HEMS approval.



comment

28

comment by: *Civil Aviation Authority of Norway*

The proposed draft IR and draft AMC/GM on passenger seating and briefing is supported.

response

Noted

Thank you for the support.

comment

31

comment by: *Austro Control*

Dear all,

please find below the following Austrian comments.

best regards

Franz Graser

Member of TAG FCL/OPS

Editorial:

Pg. 11, Annex I

Justification: correct and consecutively numbering.

response

Accepted

The repeated numbering has been spotted after the publication of the NPA and has been corrected.

comment

52

comment by: *British Airways Flight Operations*

British Airways has considerable reservations with the proposals contained within the NPA, which we will expand with individual comments on the various sections. However, there are two major points of contention which must be addressed before a rule is published.



1. No safety data are presented to justify any change to the existing procedures. There are references to two accident reports; however, those reports in themselves can only suggest consideration of policy, they do not provide objective safety data to justify change. In fact, the report into the Norwegian Air Shuttle incident actually recommends that the Agency 'consider the need for improved initial and recurrent training of crews ...'. The Agency does not appear to have undertaken any such consideration - it has jumped straight to rulemaking!

2. The proposed changes to AMC material are considerably in excess of those applied in other jurisdictions and therefore place additional burden on EASA Operators. No data are provided to suggest why such additional burden is necessary.

We must conclude, therefore, that the NPA results from views of the members of the rulemaking group, and, presumably, from the Agency's Cabin Safety department, rather than from objective analysis of a safety need.

response *Not accepted*

NPA 2015-18(C) extensively explains the reasons for this rulemaking activity in the Explanatory Note (EN) and in the Regulatory Impact Assessment (RIA).

NPA 2015-18(C) addresses four safety recommendations (SRs) addressed to the Agency as explained in the EN. FAA's Advisory Circular (AC) 121-24(C) contains detailed and prescriptive provisions on passenger safety briefing and safety briefing material, the AC states: 'This advisory circular (AC) updates information regarding the items that are required to be, or should be, covered in oral passenger briefings and on passenger briefing cards.'. Transport Canada (TCCA) mandates the content of safety briefing card on the level of an Implementing Rule. EASA proposes similar provisions as guidance material.

comment 75

comment by: *EUROCONTROL*

The EUROCONTROL Agency does not make any comment on NPA 2015-18 (C).

response *Noted*

comment 80

comment by: *FNAM*

FNAM (Fédération Nationale de l'Aviation Marchande) is the French Aviation Industry Federation / Trade Association for Air Transport, gathering the following members:



- CSTA: French Airlines Professional Union (incl. Air France)
- SNEH: French Helicopters Operators Professional Union
- CSAE: French Handling Operators Professional Union
- GIPAG: French General Aviation Operators Professional Union
- GPMA: French Ground Operations Operators Professional Union
- EBAA France: French Business Airlines Professional Union

And the following associated member:

UAF: French Airports Professional Union

Introduction:

The comments hereafter shall be considered as an identification of some of the major issues the French industry asks EASA to discuss with third-parties before any publication of the proposed regulation. In consequence, the following comments shall not be considered:

- As a recognition of the third-parties consultation process carried out by the European Parliament and of the Council;
- As an acceptance or an acknowledgement of the proposed regulation, as a whole or of any part of it;
- As exhaustive: the fact that some articles (or any part of them) are not commented does not mean FNAM has (or may have) no comments about them, neither FNAM accepts or acknowledges them. All the following comments are thus limited to our understanding of the effectively published proposed regulation, notwithstanding their consistency with any other pieces of regulation.

response *Noted*

The comment does not provide any input to the NPA.



comment 37

comment by: FAA

Amendment of AMC1 CAT.OP.MPA.165: This proposed provision as written is prescriptive and appears to require that seat rows with direct access to emergency exits MUST be occupied (by passengers or a crewmember) regardless of passenger load.

This EASA provision is more restrictive than 14 CFR § 121.585, Exit Seating, which states each certificate holder shall determine, to the extent necessary to perform the applicable functionsthe suitability of each person it permits to occupy an exit seat.

In the Federal Aviation Regulations, an aircraft is certified for transport after a full or partial evacuation demonstration. These demonstrations validate that the full seating capacity of passengers must be evacuated from the aircraft in 90 seconds or less. This demonstration is to validate:

- 1) air carrier evacuation procedures
- 2) crewmember training
- 3) emergency equipment reliability

The certification process provides a rationale for realistic cabin crewmember training. The cabin crewmember staffing could be based on the results of the evacuation demonstration and additional cabin crewmembers are added to the Ops Spec for that configuration.

The FAA requires air carriers to develop an approved Exit Seating Program that is part of the certification basis and evaluates the design characteristics of the aircraft.

After FAA analysis and approval the Exit Seating Program is added to the Operations Specification. (A022). A passenger is NOT permitted in exit seating unless they meet the function / characteristics of 14 CFR 121.585 (b) and (d).

response *Partially accepted*

EASA does not act as a national aviation authority (NAA). As stated in Article 3 of the Air OPS Regulation, each EU Member State designates an entity to act as the competent authority in that Member State. EASA conducts an oversight of EU Member States, not of individual operators, as oversight of operators is the responsibility of the competent authority of the individual EU Member State. Therefore, EASA does not get involved in the analysis or approval of operator's procedures. The EU system is different from that of the FAA.

The FAA regulatory requirements described in the comment differ from EU rules in main aspects. EU rules do not require operators to conduct evacuation demonstrations for the purpose described by the commentator. EU only requires an evacuation demonstration (or analysis) for the certification of the aircraft as stated in the certification specifications CS-25. Neither do EU rules require a specific *Exit seating program* to be developed by operators.



The Air OPS Regulation and the related ED Decisions contain the regulatory provisions for air operations. NPA 2015-18(C) contains a proposal to amend Acceptable Means of Compliance (AMC) and Guidance Material (GM) on the aspect of passenger seating and briefing. Provisions contained in AMCs help the implementation of Implementing Rules (IRs) but do not add additional requirements. AMC provides a recommendation, but the operator may opt for another means of compliance and in that case has to follow an AltMoC process. GM provisions contain guidelines or explanations the operator may consider when developing its procedures.

The amendment on occupancy of seats by exits results from a request by the European Commission based on identification of inadequate level of safety in EU when seat(s)/seat rows with direct access to exits, not manned by cabin crew members either, remain empty for taxiing, take-off and landing due to safety-unjustified extra charges applied by the operator. Based on the comments received, on the need to reflect the cases of low passenger loads and the associated mass and balance of the aircraft, AMC1 CAT.OP.MPA.165 has been amended accordingly.

The FAA requires its operators to develop a specific exit seating program addressing the occupancy of seat(s)/seat rows with direct access to exits. EU rules address the same issue — exit seating — through CAT.OP.MPA.165 and the associated existing or newly developed AMC and GM.

comment

51

comment by: *European Transport Workers Federation - ETF*

ETF supports the introduction and amendments on Passenger Seating, Emergency Exit Seating and Passenger Briefing. Consideration should be made to make this AMC and not GM.

response

Noted

Thank you for the support.

2. Explanatory Note — Newly developed GM2 CAT.OP.MPA.165 Passenger seating – EMERGENCY EXIT SEATING

p. 4-5

comment

38

comment by: *FAA*

GM2 CAT.OP.MPA.165: The term able-bodied should be defined and associated with the



applicable functions to operate the emergency exit or direct others to the exit.

The term “able-bodied” is too broad.

- Visually a passenger may appear to be “able –bodied” however, mentally unable to perform the exit functions without assistance.
- A person may be “able-bodied” and unable to communicate with other passenger to give direction and assist crewmembers and passengers.
- A person may be “able-bodied” and deaf.
- A person may have a sophisticated prosthetic and classified as disabled by customer service personnel or crewmembers. Does a prosthetic disqualify a passenger from exit seating?
- A person may be “able-bodied” and give the appearance of intoxication. A person may be “able-bodied” and taking medication such as a sedative that slows their reaction time.

Recommend harmonization of EASA provisions with 8900.1 for inspectors and Advisory Circular guidance for operators.

response *Noted*

EU rules on air operations do not use the term ‘able-bodied person’, neither is this term proposed in the amendments of NPA 2015-18(C). This term, so commonly used in the actual daily operations, is only used in quotation marks in the EN to refer to persons suitable to occupy seats by exits. Another commentator requested a clarification of ‘passenger who appears reasonably fit and strong’, therefore GM2 CAT.OP.MPA.165 has been amended accordingly.

2. Explanatory Note — Newly developed GM1 CAT.OP.MPA.170 Passenger briefing — EMERGENCY EXIT BRIEFING

p. 6

comment 45

comment by: *European Transport Workers Federation - ETF*

e.g. removed, it isn't only if operating below minimum cabin crew. There are a number of occasions when a cabin crew member is responsible for a pair of doors when the minimum cabin crew are onboard. Please note the recent SIB consultation. I appreciated adding an e.g. is and example and not the exhaustive list but on this occasion it could give the wrong intent.



response *Noted*

The comment refers to the example used in the EN. GM1 CAT.OP.MPA.170 reads ‘...emergency exit briefing should also be provided in cases where one cabin crew member controls a pair of exits.’.

2. Explanatory Note — Passenger awareness on lithium batteries

p. 7

comment 46

comment by: *European Transport Workers Federation - ETF*

Agree. Maybe consider that operators include a notification during the booking procedure?

response *Noted*

Thank you for the support.

AMC1 CAT.OP.MPA.170 includes a general provision on ‘portable electronic devices’ and GM2 CAT.OP.MPA.170 provides guidance to operators on what information should be considered — the operator decides how, i.e. in what form, to provide this information.

SIB 2015-28 *Passenger Awareness on the risks of lithium batteries* recommends that information to passengers is provided at the time of check-in and again when the bag is taken from the passenger to be checked at the gate, for example. The reason is that the person buying the ticket (therefore doing the booking) could be different from the person actually flying (a travel agency, for example) and what is important is that the message reaches the passenger who will actually fly. This is why the requirement is to provide this info *at least* during check-in. However, if the information is additionally provided during booking, it can help the passenger know how to pack and what to pack. This is at the operator’s discretion, there is no requirement and no recommendation regarding the information provided during booking in this regard.

2. Explanatory Note — 2.3. Summary of the Regulatory Impact Assessment (RIA)

p. 9-10

comment 53

comment by: *British Airways Flight Operations*



We note that the last sentence of the first paragraph states: 'This situation has been identified as an inadequate level of safety.' We ask: where and by whom? We would wish to see such detailed safety analysis before accepting the need for rulemaking.

Moreover, in the NAS event, which led to the recommendation to 'consider' rulemaking, the evacuation was successful! That would suggest the level of safety was adequate.

British Airways does agree with the suggestion that passengers sitting next to so-called self-help emergency exits should be given amplified briefing on the use of those exits – in fact, we do that already (as, we suspect do most operators!), so there is no need for change.

However, we strongly disagree with the suggestion that the rows adjacent to such emergency exits must be occupied - where are the data to support that contention? The *reductio ad absurdum* for such a position is that a flight with only, say, 4 people on board would require those people to be seated at the emergency exit row! This is clearly nonsense.

response *Noted*

The subject was described in the Preliminary Regulatory Impact Assessment (Pre-RIA) for RMT.0575 and RMT.0576 circulated for consultation, as per the rulemaking procedure, with the EASA Advisory Bodies in February 2013; the Pre-RIA explained the background that led to the conclusion of identified inadequate level of safety by a Member State. The fact that seat(s)/seat rows having direct access to exits (not staffed by cabin crew members) are empty poses a risk of nobody (i.e. passenger(s)) being briefed on the use and operation of the exit in case of an emergency, as the current EU operational rules do not contain any requirements, recommendations or guidance material on exit briefing or on safety briefing material and its content. The current EU legislation only requires that passengers receive a demonstration of *the location* of emergency exits. Furthermore, empty seat(s)/seat rows with direct access to exits and not staffed by cabin crew either will lead to a confusion amongst passengers (especially those seated in this part of the cabin) as to *who* is to act and open them in case of an emergency, since cabin crew members are too far away and may not be able to reach the exits or give commands; for example, aisle(s) will be obstructed by passengers trying to make their way out, loud noise, death or incapacitation of (cabin) crew, and on the contrary, who is to ensure the exits remain closed if the outside conditions require so, i.e. further danger to aircraft occupants is prevented (e.g. dense smoke entering the cabin). The regulatory requirements addressing child restraint systems recommend that these *should not be located in a row immediately forward or aft of an emergency exit*. The rules related to SCPs recommend that *these passengers should not be allocated seats that permit direct access to exits*. It means that persons allocated seats in the vicinity of these exits may also be passenger(s) with infants or children or SCPs. The absence of clarity on who should act and how may lead to delayed or incorrect actions by passengers which may ultimately lower the survivability of those on board.

AMC1 CAT.OP.MPA.165 introduces an amendment and helps with implementation of the rule on occupancy of seat rows with direct access to exits; the reasons are explained in the EN and in the RIA. As requested by other commentators, AMC1 CAT.OP.MPA.165 has been amended to reflect the aspects of low passenger loads and the associated mass and balance of the aircraft. Flight with a passenger load as light as four, as exemplified by the



commentator, will have to take into consideration the mass and balance of the aircraft and will therefore most likely not result in occupancy of seat rows with direct access to exits by passengers. It can be assumed that four passengers and the operating crew members, taking into account the ‘empty’ aircraft cabin, will have a chance to egress through any operable emergency exit.

The Agency takes note of the commentator’s support of the necessity to conduct exit briefing, which is already a good practice of some EU operators.

2. Explanatory Note — 2.4. Overview of the proposed amendments p. 10

comment

39

comment by: *FAA*

2.4 Amendments to AMC1 CAT.OP.MPA.170: FAA supports this amendment. This would increase harmonization with current Federal Aviation Regulation 14 CFR part 121.585.

response

Noted

Thank you for the support.

comment

70

comment by: *IATA*

As a general comment we are of the opinion that the proposed amendments are not in line with a performance based environment, bringing burdensome complexity for air operators and crew members. IATA and other airline associations have insisted that EASA should have a more robust process to review accident investigation recommendations as a basis for decision whether or not to implement those recommendations (rather than implementation each of those recommendations). In fact this AMC/GM is implementing after 14 years a recommendation from 2002. We understand that the current approach of the Agency is not to regulate for any perceived safety issue, but to identify the best course of action though the use of other “soft” means like safety promotion. However the RIA states that using safety promotion tools available to the Agency would not be sufficient. This is while the Agency is relying heavily on safety promotion for important safety topics. For these reasons the option to introduce an extremely detailed prescriptive regulation is not totally in line with the late approach of the Agency in other subjects.

The RIA does not provide enough details on why the NPA subject is perceived as such a high safety risk to warrant an immediate prescriptive approach. There is no objective quantifiable



data (statistics) to identify the number of failed evacuations due to the absence of passengers seated at the exit rows or the lack of the new expanded elements in the passenger safety briefing.

We would propose that the Agency allows the Operator to identify the best course of action through its Safety Management System, while approaching these items with the safety promotion tools.

We also have to mention there are situations in which NAAs apply the same status to the GM – Guidance Material than to AMCs – Acceptable Means of Compliance. We believe EASA should clarify repeatedly to the NAAs that GM is only guidance and not regulatory text which can be opposed and audited.

response *Noted*

The subject was described in the Preliminary Regulatory Impact Assessment (Pre-RIA) for RMT.0575 and RMT.0576 circulated for consultation, as per the rulemaking procedure, with the EASA Advisory Bodies in February 2013; the Pre-RIA explained the background that led to the conclusion of identified inadequate level of safety by a Member State. The fact that seat(s)/seat rows having direct access to exits (not staffed by cabin crew members) are empty poses a risk of nobody (i.e. passenger(s)) being briefed on the use and operation of the exit in case of an emergency, as the current EU operational rules do not contain any requirements, recommendations or guidance material on exit briefing or on safety briefing material and its content. The current EU legislation only requires that passengers receive a demonstration of *the location* of emergency exits. Furthermore, empty seat(s)/seat rows with direct access to exits and not staffed by cabin crew either will lead to a confusion amongst passengers (especially those seated in this part of the cabin) as to *who* is to act and open them in case of an emergency, since cabin crew members are too far away and may not be able to reach the exits or give commands; for example, aisle(s) will be obstructed by passengers trying to make their way out, loud noise, death or incapacitation of (cabin) crew, and on the contrary, who is to ensure the exits remain closed if the outside conditions require so, i.e. further danger to aircraft occupants is prevented (e.g. dense smoke entering the cabin). The regulatory requirements addressing child restraint systems recommend that these *should not be located in a row immediately forward or aft of an emergency exit*. The rules related to SCPs recommend that *these passengers should not be allocated seats that permit direct access to exits*. It means that persons allocated seats in the vicinity of these exits may also be passenger(s) with infants or children or SCPs. The absence of clarity on who should act and how may lead to delayed or incorrect actions by passengers which may ultimately lower the survivability of those on board.

When drafting the NPA, the Agency reviewed numerous safety briefing cards and safety videos of current operators and has summarised their contents in NPA 2015-18(C). The Agency has also reviewed the FAA's AC 121-24(C), which states that *'This advisory circular (AC) updates information regarding the items that are required to be, or should be, covered in oral passenger briefings and on passenger briefing cards.'* The TCCA mandates the content of safety briefing cards on the level of Implementing Rule.



3.1. Draft EASA Opinion — A new definition in Annex I

p. 11

comment

18

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)***46. New definition of "Emergency exit"**

Sweden support the proposed new definition.

response

Noted

Thank you for the support.

comment

54

comment by: *British Airways Flight Operations*

The flight crew compartment is not part of the cabin, so its inclusion in this paragraph is unnecessary - the flight crew compartment is not a required emergency-exit route for passengers

response

Noted

NPA 2015-18(C) proposes an inclusion of the definition of 'emergency exit' in Annex I to the Air OPS Regulation, i.e. this definition is applicable to the entire regulation; the reasons are explained in the EN. It has been amended to also reflect the evacuation possibilities for flight crew members from the flight crew compartment.

3.2. Draft EASA Decision — AMC1.CAT.OP.MPA.165 Passenger seating

p. 11-12

comment

1

comment by: *SATA Acores*

AMC1.CAT.OP.MPA.165 may raise some issues to the small/medium turboprop operators. When flights have a reduced number of passengers and the aircraft has a too forward or aft



Operating Weight Empty Index, passenger distribution is crucial to guarantee a Center of Gravity within limits. A small number of passengers distributed throughout the cabin in order to guarantee that seat rows with direct access to emergency exits are occupied during taxiing, take-off and landing, may cause the CofG to move forward or aft of its limits or may require operators to transport ballast, hence decreasing fuel efficiency.

response *Accepted*

AMC1 CAT.OP.MPA.165 has been amended to reflect the low passenger numbers and the associated mass and balance of the aircraft.

comment 2

comment by: *Loganair Limited*

The AMC does adequately not take into account smaller aircraft (Eg SAAB 340, SAAB 2000, ATR 72) where when a small number passengers are carried and passengers need to be seated away from Emergency exits to ensure the aircraft remains within centre of gravity limitations.

response *Accepted*

AMC1 CAT.OP.MPA.165 has been amended to reflect the low passenger numbers and the associated mass and balance of the aircraft.

comment 3

comment by: *Loganair Limited*

The AMC assumes that passengers are willing to sit adjacent to an Emergency exit and operate it in case of an Emergency. Experience in the UK has shown that passengers are frequently unwilling to sit adjacent to an Emergency exit and when light loads are carried it may not be possible to find a suitable "volunteer" to sit at an Emergency exit. Requiring a passenger to sit at an Emergency exit against their will is undesirable.

The AMC needs to be amended to state "Where possible....".

response *Partially accepted*

AMC1 CAT.OP.MPA.165 has been amended to reflect that 'those passengers who are allocated seats that permit direct access to emergency exits appear to be reasonably fit, strong, able *and willing* to assist..'. GM2 CAT.OP.MPA.165 has also been amended to reflect that '*where possible*, such seating should be allocated on both sides on the cabin..'



comment 4

comment by: *NetJets Europe*

NetJets understands the reason for the draft proposal especially for airline type operators but does not agree that this should be applicable industry wide especially to business aviation type operations.

This would require, even when only 1 passenger is carried, that he/she is seated in the emergency exit seat which brings no added safety value, especially on business jet type operators where the emergency exits are within a very limited distance and not many passengers are normally carried.

Also, in business aviation type aeroplanes, there are aeroplane types that have approved passenger seats, adjacent to the emergency exit, that are located in toilet. It would not make sense to have a passenger sit in the toilet seat when he is the only one being carried.

As per the current requirement, the operator ensures that any passengers occupying the emergency exit seat(s) are able to assist in an emergency. For aeroplanes used in business aviation, this should be deemed as sufficient.

NetJets does not support the current proposal and suggests that it is revised in order not to be applicable to 'Air taxi operations'.

response *Partially accepted*

Based on the comments received, AMC1 CAT.OP.MPA.165 has been amended to reflect the low passenger numbers and the associated mass and balance restrictions. NPA 2015-18(C) proposes provisions for operators conducting commercial air transport (CAT). The operator may opt for another means of compliance through an AltMoC process. Rules are created for a generic majority, the specific cabin configuration exemplified in the comment represents a vast minority; it is practically impossible to look into each and every existing certified special cabin configuration and create individual rules.

comment

13

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Amendments to AMC1 CAT.OP.MPA.165 Passenger seating

Sweden support the new text in AMC1

response *Noted*

Thank you for the support.

comment

19

comment by: *Janice Fisher*

The text infers that every seat in such a seat row should be occupied. This may not be entirely appropriate if the passenger load is low as the preferred exits in the majority of emergency evacuations are the floor level exits.

Text should read -

(a) at least one seat in each seat row segment with direct access to emergency exits should be occupied during by a passenger who appears to be ...

response

Accepted

AMC1 CAT.OP.MPA.165 has been amended accordingly.

comment

32

comment by: *Luftfahrt-Bundesamt*

AMC1 CAT.OP.MPA.165 Passenger Seating

(a) Suggestion to add a provision that the operator should make sure that passengers placed in seat rows with direct access to emergency exits **are ready and able to assist** the rapid evacuation, e.g.:

“The operator should make provision so that:

(a) seat rows ... by passengers who appear to be reasonably fit *and* strong and *who are ready and able to assist* the rapid ... “

response

Accepted

The proposed wording has been included in AMC1 CAT.OP.MPA.170 as well as in GM1 CAT.OP.MPA.170.

comment

40

comment by: *FAA*



AMC1 CAT.OP.MPA.165 (a): Is there any data to support that occupying those seats provides a significant increase in the level of safety, as compared to if those seats were to remain unoccupied. There is no consideration for the On-Demand Carriers that operate aircraft with 19 or fewer passenger seats, and there is no provision that could exclude them from this requirement.

response *Noted*

Part-CAT of the Air OPS Regulation is applicable to operators conducting CAT operations. AMC provides a recommendation – means to comply with the IR – the operator may choose an alternative means of compliance through an AltMoC process.

The subject of recommended occupancy of seat(s)/seat rows with direct access to emergency exits was described in the Pre-RIA RMT.0575 and RMR.0576 circulated for consultation, as per the rulemaking procedure, with the EASA Advisory Bodies in February 2013; the Pre-RIA explained the background that led to the conclusion of identified inadequate level of safety by a Member State.

NPA 2015-18(C) included Appendix 1 containing some occurrences from the occurrence reporting databases. Many of the occurrences on uncommanded opening of exits by passengers originated from overseas operators. EASA cannot confirm if a study specifically on occupancy of seat(s)/seat rows having direct access to exits has been or is intended to be conducted worldwide. A study on passenger perceptions and performance related to the operation of Type III exit had been conducted by the Cranfield University. This NPA reacts to an increasing problem in EU – seat(s)/seat rows with direct access to exits (not staffed by cabin crew members) being left empty for taxiing, take-off and landing due to safety-unjustified charges imposed by the operator if a passenger wants to occupy such a seat. If no passenger pays the extra fee, the seat(s)/rows remain empty for taxiing, take-off and landing and no passenger is allowed to occupy them. This rising problem in EU has been identified as leading to an inadequate level of safety.

The fact that seat(s)/seat rows having direct access to exits (not staffed by cabin crew members) are empty poses a risk of nobody (i.e. passenger(s)) being briefed on the use and operation of the exit in case of an emergency, as the current EU operational rules do not contain any requirements, recommendations or guidance material on exit briefing or on safety briefing material and its content. The current EU legislation only requires that passengers receive a demonstration of *the location* of emergency exits. Furthermore, empty seat(s)/seat rows with direct access to exits and not staffed by cabin crew either will lead to a confusion amongst passengers (especially those seated in this part of the cabin) as to *who* is to act and open them in case of an emergency, since cabin crew members are too far away and may not be able to reach the exits or give commands; for example, aisle(s) will be obstructed by passengers trying to make their way out, loud noise, death or incapacitation of (cabin) crew, and on the contrary, *who* is to ensure the exits remain closed if the outside conditions require so, i.e. further danger to aircraft occupants is prevented (e.g. dense smoke entering the cabin). The regulatory requirements addressing child restraint systems recommend that these *should not be located in a row immediately forward or aft of an emergency exit*. The rules related to SCPs recommend that *these passengers should not be allocated seats that permit direct access to exits*. It means that persons allocated seats in the vicinity of these exits may also be passenger(s) with infants or children or SCPs. The absence



of clarity on who should act and how may lead to delayed or incorrect actions by passengers which may ultimately lower the survivability of those on board.

comment

55

comment by: *British Airways Flight Operations*

British Airways completely disagrees with this proposed change which is not justified by any safety data. We request it is removed.

response

Not accepted

The background of this rulemaking activity is detailed in the Pre-RIA for RMT.0575 and RMT.0576 and in NPA 2015-18(C).

comment

67

comment by: *European Cockpit Association*

Draft AMC and GM (Draft EASA Decision) - The amendment to AMC1 CAT.OP.MPA.165 - passenger seating during taxiing, takeoff and landing in seat rows with direct access to emergency exits

Commented text:

EMERGENCY EXIT SEATING

The operator should make provision so that:

*(a) seat rows with direct access to emergency exits are occupied during taxiing, take-off and landing by **passengers who appear to be reasonably fit**, strong and able to assist the rapid evacuation of the aircraft in an emergency after an appropriate briefing by the crew*

ECA's Comments:

Possible safety issue: The case of a passenger who paid an extra-price for a seat located at the emergency exits, but who seems unable to comply with this requirement should be clarified.

The airline might be reluctant to refund him/her, and cabin crew will be uncomfortable in dealing with the situation (reducing the airline benefit might be a cause for the company to blame the cabin crew) and may let him/her be seated nonetheless (issue not addressed in EASA economic impact assessment).



response *Accepted*

The reasons described in the comment are valid and reflect the factors that led to the rulemaking action on the occupancy of seats by passengers by emergency exits (not staffed by cabin crew members).

CAT.OP.MPA.165 requires an operator to establish procedures to ensure passengers are seated where they are able to assist and not hinder evacuation of the aircraft. The related AMC1 CAT.OP.MPA.165 provides a means how to comply with the rule and recommends that passengers who because of their condition might hinder other passengers or impede the crew in carrying out their duties should not be allocated seats that permit direct access to emergency exits. It is the operator's responsibility to ensure that the correct seat allocation is made in due course. The operator may opt for another means of compliance through the AltMoC process. AMC2 CAT.OP.MPA.165 lists categories of passengers who should not be allocated seats permitting direct access to emergency exits. GM2 CAT.OP.MPA.155(c) contains recommendations on seating allocation of special categories of passengers.

Passengers *who appear to be reasonably fit and strong* should be persons who, in case of an emergency, would be candidates cabin crew members would select to assist them. This clarification has been reflected in GM2 CAT.OP.MPA.165.

It is the operator's responsibility to ensure that only persons suitable for allocation of seats by emergency exits are allocated those seats. The aspect described in the comment is a consequence of an inadequate operator's policy. The RIA concentrates on economic aspects of the subject matters of the NPA that are in line with the regulatory requirements, it does not concentrate on operator procedures which are in breach of EU rules.

comment 71

comment by: IATA

3.2 on page 11 of 26:

The operator should make provision so that seat rows with direct access to emergency exits are occupied during taxiing, take-off and landing by...

This proposed requirement is unrealistic and should be removed. There are significant long haul aircraft cabin configurations which do not have seat rows at the exits. It is unrealistic to also mandate the seating of passengers, particularly where there are also cabin crews stationed at the exit during these phases of flight. Is this implying that the certification tests should be reviewed and now passengers presence is mandatory to ensure evacuation success?

Also in situations where there are low passenger numbers why should the operator move and specifically position passengers at the overwing exits when it would be more practicable to have passengers close to the main floor level exists which are also manned by cabin crew members? Studies have shown that egress at the floor level exits is faster, more efficient and



safer.

This requirement has the potential to generate additional workload for cabin crews and ground staff, potential conflicts with passengers which would not desire to move to a new seating and switch back to their originally assigned seats for the climb, cruise and descent phases of flight.

response *Partially accepted*

The background reasons leading to this rulemaking activity are detailed in the Pre-RIA for RMT.0575 and RMT.0576, circulated to the EASA Advisory Bodies for consultation in February 2013. The absence of such provision in the EU regulatory framework leads to seat rows with direct access to exits and some exits being unmanned for taxiing, take-off and landing due to safety-unjustified extra charges if no passenger wants to pay the additional fee.

The risk of unmanned exits, as well as the safety benefits of seat rows with direct access to exits being occupied by suitable passengers, are analysed in the RIA of NPA 2015-18(C).

Cabin configurations with no seats/seat rows having direct access to exits are not affected. Based on comments received, AMC1 CAT.OP.MPA.165 has been amended to reflect the low passenger numbers and the associated mass and balance restrictions.

The fact that seat(s)/seat rows having direct access to exits (not staffed by cabin crew members) are empty poses a risk of nobody (i.e. passenger(s)) being briefed on the use and operation of the exit in case of an emergency, as the current EU operational rules do not contain any requirements, recommendations or guidance material on exit briefing or on safety briefing material and its content. The current EU legislation only requires that passengers receive a demonstration of *the location* of emergency exits. Furthermore, empty seat(s)/seat rows with direct access to exits and not staffed by cabin crew either will lead to a confusion amongst passengers (especially those seated in this part of the cabin) as to *who* is to act and open them in case of an emergency, since cabin crew members are too far away and may not be able to reach the exits or give commands; for example, aisle(s) will be obstructed by passengers trying to make their way out, loud noise, death or incapacitation of (cabin) crew, and on the contrary, who is to ensure the exits remain closed if the outside conditions require so, i.e. further danger to aircraft occupants is prevented (e.g. dense smoke entering the cabin). The regulatory requirements addressing child restraint systems recommend that these *should not be located in a row immediately forward or aft of an emergency exit*. The rules related to SCPs recommend that *these passengers should not be allocated seats that permit direct access to exits*. It means that persons allocated seats in the vicinity of these exits may also be passenger(s) with infants or children or SCPs. The absence of clarity on who should act and how may lead to delayed or incorrect actions by passengers which may ultimately lower the survivability of those on board.

The proposal to review the certification specifications with regard to occupancy by emergency exits such as Type III and Type IV is noted.



comment	<p>76</p> <p style="text-align: right;">comment by: <i>Finnish Transport Safety Agency</i></p> <p>AMC1 CAT.OP.MPA.165</p> <p>Trafi supports the proposal.</p>
response	<p><i>Noted</i></p> <p>Thank you for the support.</p>

3.2. Draft EASA Decision — GM2 CAT.OP.MPA.165 Passenger seating p. 12

comment	<p>14</p> <p style="text-align: right;">comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>A new GM2 CAT.OP.MPA.165</p> <p>Sweden support the new text in GM2</p>
response	<p><i>Noted</i></p> <p>Thank you for the support.</p>

comment	<p>20</p> <p style="text-align: right;">comment by: <i>Janice Fisher</i></p> <p>(c) should also include mention of the number of passengers on that particular flight.</p> <p>Text should read (c) theexit operation, total number of passengers on board and the distance</p>
response	<p><i>Accepted</i></p> <p>AMC1 CAT.OP.MPA.165 has been amended accordingly.</p>



comment

33

comment by: *Luftfahrt-Bundesamt***Subparagraph (e) of GM2 CAT.OP.MPA.165 Passenger Seating**

Subpara (e): “where possible, the operator should ...” appears to excessively soften the intention of the last sentence under 2.2.: “The operator should address in its procedures when to allocate seats by exits, prior to boarding or after boarding, **taking into account the cabin crew duties on ground prior to the push-back of the aircraft.**”

response

Noted

GM2 CAT.OP.MPA.165 has been amended to be aligned with the FAA’s Exit seating program in this aspect.

comment

35

comment by: *European Helicopter Association (EHA)*

Page 12 - GM2 CAT.OP.MPA.165 Passenger seating EMERGENCY EXIT SEATING:

We propose to make this GM aeroplanes only and create a new GM for helicopters only as proposed below:

GM2 CAT.OP.MPA.165 Helicopters: Passenger seating EMERGENCY EXIT SEATING

When allocating passengers to seats, the operator shall publish procedures for the crew to assign passengers to take position at the appropriate seats next to the emergency exits in accordance with the mass and balance limitations.

When there is more than one passenger, if possible, such seating should be allocated on both sides of the cabin, i.e. left-hand side and right-hand side.

response

Partially accepted

Thank you for the proposal. Based on the comments received, including the proposal in this comment, the text has been revised and amended to include the associated observation of mass and balance of the aircraft in cases of low passenger numbers on board.

comment

41

comment by: *FAA*

(e) There is no guidance on who may, or more specifically, may not occupy an emergency



exit seat that will meet the requirement of “able-bodied”. Considerations, such as age, physical and cognitive ability, whether the passenger is caring for another individual which would prevent them from performing Emergency Exit tasks, and the willingness of the individual to perform those duties, should be included.

response *Partially accepted*

The Air OPS Regulation does not use the term ‘able-bodied person’.

Provisions on special categories of passengers (SCPs) are specified in the EU regulatory requirements; this includes persons capable of assisting SCPs. CAT.OP.MPA.165 requires operators to establish procedures to ensure passengers are seated where they are able to assist and not hinder evacuation of the aircraft. The related AMC1 CAT.OP.MPA.165 further recommends that passengers who because of their condition might hinder other passengers or impede the crew in carrying out their duties should not be allocated seats that permit direct access to emergency exits. AMC2 CAT.OP.MPA.165 specifies categories of passengers who should not be allocated seats permitting direct access to emergency exits. GM2 CAT.OP.MPA.155(c) contains recommendations on seating allocation of special categories of passengers. It is the operator’s responsibility to further develop procedures on exit seating suitability and to ensure the correct seat allocation is made in due course. Suitability of passengers (i.e. adults) based on, for example, age could be perceived as discriminatory as age does not guarantee physical and cognitive ability.

Based on the comments received, the aspect of passenger’s ‘willingness’ to assist crew in case of an emergency has been included in AMC1 CAT.OP.MPA.165 and in GM1 CAT.OP.MPA.170. Furthermore, the phrase ‘passengers *who appear to be reasonably fit and strong*’ has been clarified in GM2 CAT.OP.MPA.165.

comment 47

comment by: *European Transport Workers Federation - ETF*

On page 11 you state the type of passenger that should be sat in the emergency exit seating:

‘seat rows with direct access to emergency exits are occupied during taxiing, take-off and landing by those passengers who are allocated seats that permit direct access to emergency exits appear to be reasonably fit, strong and able to assist the rapid evacuation of the aircraft in an emergency after an appropriate briefing by the crew;’

ETF totally support this requirement.

Under GM2 CAT.OP.MPA.165 Passenger Seating, something needs to be added to ensure that when passengers checkin on line there is a screening process that makes sure the passenger sat in the emergency exit row meets the criteria above. With the reduction of ground handling staff and the introduction of automation often the first time a passenger sees an employee it is the cabin crew. This means the cabin crew are left to sort any problems i.e. move passengers that don't meet the criteria as stated. This adds to what is



already a high workload for cabin crew who are dealing with safety issues etc.

Often airlines make money out of selling emergency exit seats as more favourable due to extra leg room for example, this means that if a passenger has paid extra and doesn't meet the criteria you state and the cabin crew have to move him or her it creates an unpleasant situation.

response *Accepted*

GM2 CAT.OP.MPA.165 has been amended.

comment 56

comment by: *British Airways Flight Operations*

The practical complexity if this GM is completely unworkable and it should not be included. In particular we note that the people who sit in the cabin are passengers and not pseudo cabin crew! Redistributing passengers away from their preferred seats (for which they may have booked and paid) on dubious safety grounds is unlikely to be popular! Sub para (e) is impenetrable in its complexity.

response *Not accepted*

GM2 CAT.OP.MPA.165 does not contain guidance on unknown or new practices; this GM includes the good practices of some EU operators and recommendations of the EASA TAG Expert group on cabin crew and cabin/passenger safety. The referenced GM contains explanation and guidance on the possible measures the operator may take when addressing occupancy of seat(s)/seat rows (not staffed by cabin crew members) which have direct access to emergency exits.

comment 66

comment by: *KLM*

(d) Under (d) it could be understood that additional cabin crew or positioning crew (if available on board) are preferred above passengers for allocation at exit seat rows?

response *Noted*

EU certification specifications CS-25 do not require a cabin crew seat at exits such as Type III and Type IV exits. It is a good practice of some operators to have, in their cabin configuration, an additional cabin crew seat installed by the referenced exits. Alternatively, some operators block a seat by these exits and require one of the operating cabin crew members to occupy the seat for take-off and landing. Alternatively, some operators have a



policy of allocating seats by exits to positioning crew members if they are travelling on the flight. These good practices were supported by cabin safety experts and have been reflected as recommendations in GM2 CAT.OP.MPA.165. The referenced GM contains explanation and guidance on the possible measures the operator may take when addressing occupancy of seat(s)/seat rows which have direct access to emergency exits.

comment 68

comment by: *European Cockpit Association***GM2 CAT.OP.MPA.165 Passenger seating**

Commented text:

When allocating passengers to seat rows with direct access to emergency exits, the operator should take appropriate measures. These include but are not limited to the following:

(a) such seating should be allocated on both sides of the cabin, i.e. left-hand side and right-hand side;

(b) the seat should be immediately adjacent to the exit;

*(c) the number of passengers per exit should take into account to the **complexity of the exit operation** and the distance from the **nearest** cabin crew station;*

ECA's Comment:

It should be clarified what is a **complex exit operation**? Also, **how far is near** to the cabin crew station?

response *Noted*

'Complexity of exit operation' is the level of difficulty (i.e. number and difficulty of operational steps) to achieve the desired outcome with regard to the exit function/purpose.

The distance from the nearest cabin crew station refers to how far the exit row where the passenger will be on his/her own by the exit is from the nearest cabin crew station, e.g. over-wing exits on B737 or A340-600 where no cabin crew seats are installed; in the case of the exemplified aircraft, the nearest cabin crew seats are at L1/R1 and L4/R4 for B737 and at L2/R2 and L4/R4 for A340-600.

comment 72

comment by: *IATA*

GM2 CAT OP MPA 165 on page 12 of 26:



The whole GM is extremely detailed and adds to the complexity of implementing such prescriptive requirements.

c) the number of passengers per exit should take into account to the complexity of the exit operation and the distance from the nearest cabin crew station.

There are many situations/ configurations in which cabin crew are already seated at the exit. There is no provision here to NOT have passengers seated at the exit, even if already covered by cabin crew.

There may be various situations of very empty flights. The Operator should still have to move customers to sit at the exit even though the rest of the passengers may be in another cabin with four usable exits surrounding them, and manned with cabin crews?

d) The operator should utilize experienced operating cabin crew members who are additional to the minimum required cabin crew complement or positioning crew members if available on board.

Cabin crew who are normally carried in addition to the minimum required crew will already be allocated a crew seat with a full harness. They should NOT be moved to occupy passenger seats at the exits which afford a lesser degree of protection. Additionally, those cabin crew who are on positioning duty may or may not be allocated seats in the class of cabin with empty exit row seats, they may be resting and allocated a premium seat as per operator practices as they are off duty and not carried for evacuation purposes.

e) The operator should consider suitable allocation of seats by exits prior to boarding to allow cabin crew members to concentrate on their duties. This is poorly worded as the checking of suitability for such passengers is already the cabin crew's responsibility. The intention here is to ensure that operators clear up any seating issues before boarding commences, however this is simply not always possible.

response *Partially accepted*

GM2 CAT.OP.MPA.165 contains explanation and guidance on the possible measures the operator may take when addressing occupancy of seat(s)/seat rows which have direct access to emergency exits. The referenced GM2 does not contain guidance of unknown or new practices; this GM summarises the good practices of some EU operators and recommendations of cabin safety experts.

The aspect of low passenger numbers and the mass and balance restrictions have been included in the revised AMC1 CAT.OP.MPA.165; this was also suggested by other commentators. The referenced AMC1 has further been amended and reflects now that seat rows with direct access to exit *not staffed by cabin crew members* are occupied for taxiing, take-off and landing. The commentator proposes a regulatory provision stating there is no necessity for seat rows with direct access to emergency exits to be occupied by passengers if those exits are staffed by cabin crew members; such a regulatory provision is debatable and may be perceived as contradictory.

It is a good safety practice of many operators to allocate positioning flight crew or cabin crew seats by exits to increase the chances of survivability by actions of trained personnel in case



of an emergency, rather than allocating these seats to ‘naive’ passengers who lack the required knowledge. EU regulatory requirements define ‘positioning’ as ‘transferring of a non-operating crew member from one place to another, at the behest of the operator’. Furthermore, ‘duty’ is defined as ‘any task that a crew member performs for the operator, including flight duty, administrative work, giving or receiving training and checking, positioning, and some elements of standby’. ‘Rest period’ is defined as ‘a continuous, uninterrupted and defined period of time, following duty or prior to duty, during which a crew member is free of all duties, standby and reserve’. In accordance with the above definitions, *positioning crew member* is *on duty* and his/her rest period takes place post-duty; there is no provision within the above definitions stating that positioning crew members must not be disturbed during the flight due to FTL legality. Positioning crew members may not be carried for evacuation purposes; however, they may play a vital role in evacuation as they may be amongst the few, or the only, surviving crew members.

As explained above, the referenced GM2 contains explanation and guidance on the possible measures the operator may take. EU rules require the operator to make provisions to ensure that passengers occupying seats with direct access to emergency exits are suitable to be seated there. It is a common practice that this check is conducted by cabin crew members. With the number of duties cabin crew are to carry out prior to door closure and prior to push-back, the referenced GM2 provides guidance saying that the suitable exit seating allocation should be solved by ground personnel prior to boarding; this provides cabin crew members with the possibility to dedicate the valuable ‘ground time’ to other required ground safety duties and it also contributes to operator’s on-time performance.

comment

77

comment by: *Finnish Transport Safety Agency*

GM2 CAT.OP.MPA.165

The guidance material seems to be rather descriptive. It could be modified to be more performance based.

response

Not accepted

GM2 CAT.OP.MPA.165, providing guidance to operators on possible measures the operator may consider when developing its provision on the subject, has been developed by the EASA TAG Expert group on Cabin Safety as described in the EN to the NPA 2015-18(C). The group discussed various scenarios associated with seating by emergency exits and developed the proposed GM2 to provide guidance to operators when considering the appropriate measures. The EASA TAG Expert group was also involved in drafting the revised GM2.

comment

81

comment by: *FNAM*

The FNAM thinks that to oblige to place a passenger immediately close to an emergency exit can raise issues and will create a lack of flexibility.

It may happen that there isn't a row of seats close to an emergency exit, but a partition wall, and consequently no passenger immediately close to the exit. If it may be relevant to brief one passenger to each emergency seat when no cabin crew is available, the proposed rule would gain in flexibility by allowing the use of passenger occasionally not situated on the very vicinity of the emergency exit or any other relevant procedure.

response *Noted*

GM1 CAT.OP.MPA.165 states that 'direct access' means a seat from which a passenger can proceed directly to the exit without entering an aisle or passing around an obstruction. Seats which are separated from the exit by a partition are not considered as seats with direct access.

comment **82**

comment by: *Ryanair*

There are requirements in NPA 2015-18(c) which are practically impossible to implement on current fleets of medium haul aircraft and other measures therein which are overly prescriptive.

Our comments below, in bold, follow the sequence of the NPA draft text:

GM2 CAT.OP.MPA.165 Passenger seating

EMERGENCY EXIT SEATING

(b) the seat should be immediately adjacent to the exit; **In our opinion it is sufficient to have a passenger in the seat row segment (A,B ,C or D,E,F). The text suggests an A seat or an F seat only. There will be passenger resistance to the A or F seat as there is only one armrest.**

(e) where possible, the operator should consider suitable allocation of seats by exits prior to boarding to allow cabin crew members to concentrate on their duties, e.g. briefing of SCPs, assistance with child restraint systems, exit briefing, etc. **This is wholly impractical in our operating environment. It is equally impractical to attempt to address this if passengers are booking a seat in a direct access row segment on-line or otherwise at the point of booking. Furthermore there will be passenger resistance to being moved from their purchased allocated seating.**

AMC1 CAT.OP.MPA.170 Passenger briefing

PASSENGER BRIEFING

Passenger briefings should contain the following:

.....

(c) Before landing



(iv) the importance of leaving hand baggage behind in case of evacuation; **There is an argument that mentioning an emergency or evacuation situation this late in the flight may cause anxiety (negative panic) amongst some passengers. We are currently only advising passengers to re-stow it but not to leave it behind and have a strong opinion not to change from this.**

(v)

GM1 CAT.OP.MPA.170 Passenger briefing

EMERGENCY EXIT BRIEFING

Emergency exit briefing and recognition of emergency commands given by the crew. **This requirement means that direct access row segment passengers must understand the airline unique evacuation command from either the flight compartment of the cabin crew. This is practically impossible to achieve on line operations and will cause passenger anxiety (negative panic).**

.....

Passenger(s) should communicate with the crew in the same language to ensure mutual understanding and should verbally acknowledge understanding of the instructions. **There is a considerable difference in a passenger acknowledging understanding of the pictograms on the safety card and how to open the emergency exit. It is much more complex to establish understanding of the emergency evacuation command and external threats beyond those indicated on the safety card. It is difficult to reconcile these requirements in line operations.**

EASA is aware from previous consultations that the passenger make-up is very international regardless of the city pairing on a route. A Barcelona - Berlin flight could as likely have more non Spanish and non german nationals on board and such is the internationalisation of air travel there could be more Asian passengers on board than Europeans for the same flight.

We are aware that passengers have, contrary to cabin crew safety briefings, persisted in reclaiming their cabin baggage prior to participating in an emergency evacuation, the Asiana accident in San Francisco being a pertinent demonstration of this issue. Including an instruction to leave cabin baggage behind in an evacuation in safety PAs during flight is unlikely to address this issue and is more likely to create unnecessary anxiety for passengers.

Finally thank you for the opportunity to share our reservations about the safety efficacy of NPA 2015-18(c).

response *Partially accepted*

1.The commentator's reasoning on passenger occupying any seat in the seat row with direct access to exit is valid. The recommendation on occupancy of the seat immediately adjacent to the exit (or 'A/F' as exemplified in the comment) has been included to accommodate those operators who only consider that seat to be an 'emergency exit seat'. Ultimately the operator only provides that passenger with the exit briefing (not the passengers seated on 'B/C/D/E' seats (to use the same aircraft as exemplified in the comment)). The operator may opt to have an armrest mounted on the Type III exit itself, this is a certification option and part of the type design. AMC1 CAT.OP.MPA.165 has been amended to clarify that at least



one seat in a seat row with direct access to exit should be occupied. GM2 CAT.OP.MPA.165 maintains the guidance that the seat should be immediately adjacent to the exit.

2.Passenger selecting a seat through online booking/check-in may not meet the criteria of exit row seating. It is the operator's responsibility to establish procedures ensuring compliance with CAT.OP.MPA.165 and CAT.OP.MPA.155; the associated AMCs and GM help with the implementation of the IRs. The operator may opt for another means of compliance through an AltMoC process.

3.The aspect of passengers evacuating with their luggage is critically on the rise, as observed in numerous occurrences in the (recent) past. The comment is valid, however (repetitive) information communicated to passengers in normal circumstances may be more effective than relaying this information only during an emergency. Preparation of cabin for an emergency landing foresees a load of information, some of which will very likely be missed by the passenger who is in a state of shock due to the ongoing critical situation. The recommendation to mention the luggage before landing is based on a good practice of some operators who do remind passengers in the public announcement during descent to leave their belongings behind should the situation require so.

4.The comment on the mix of passengers' nationalities on a flight and the ultimate impossibility of communicating in the same language is valid and itself a complex issue in the actual daily operations. The text has been clarified and reads now: *crew members should communicate with the passenger(s) in a way that ensures their mutual understanding and should verbally acknowledge understanding of the instructions*. The inclusion of 'recognition of emergency commands given by the crew' in the exit briefing has been suggested by flight crew.

3.2. Draft EASA Decision — AMC1 CAT.OP.MPA.170 Passenger briefing

p. 12-14

comment

15

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Amendments to AMC1 CAT.OP.MPA.170 Passenger briefing

Sweden support the revision, but there is need for clarification regarding no-smoking announcements:

According to AMC1 CAT.OP.MPA 170 (a)(1), (b)(1) and (c)(1) passengers should be briefed on 'smoking regulations' etc., if applicable. According to (d)(1) passengers should be reminded of 'smoking regulations etc'. It is unclear when briefing of smoking regulations is applicable. In several countries it is prohibited to smoke in public areas and consequently also onboard an aeroplane. The question is how many times an operator has to include "smoking regulations" in the passenger briefing. No-smoking placards could be another way e.g.



briefing before take-off and after landing. This could facilitate for at least national operators with short flights. Suggestion to reduce the need for repeated announcements of no-smoking.

response *Accepted*

AMC1 CAT.OP.MPA.170 has been revised in this aspect. A new point has been developed to address the 'smoking regulations'. The new text provides flexibility to operators to decide, according to the type of operation, how many times and when to brief passengers on, or remind them of, the operator's smoking policy.

comment 21

comment by: *Janice Fisher*

(a) (1) It is not clear what 'if applicable' means when referring to smoking regulations. Does it mean that if the airline is non-smoking then the regulations are not applicable and passengers do not have to be briefed? Or does the airline have to tell passengers it is non-smoking regardless?

response *Accepted*

AMC1 CAT.OP.MPA.170 has been revised in this aspect. A new point has been created to address the 'smoking regulations'. The new text provides flexibility to operators to decide, according to the type of operation, how many times and when to brief passengers on, or remind them of, the operator's smoking policy.

comment 22

comment by: *Janice Fisher*

(a) (1)

(vi) Unclear as to the meaning of 'presentation'. The previous term 'content' seemed to be clear.

(vii) Ordinance signs are not always illuminated. Some operators now have fixed no smoking signs which are not illuminated.

(a) (2)

(i) Some seats have airbags, passengers should be made aware how these are activated and what to do with them.

(iv) Text infers passengers need a demonstration of all individual flotation devices - this is



impractical. To demonstrate both infant lifejackets and baby flotation cots would take far too much time during a demonstration.

response *Accepted*

1.The clarification leading to inclusion of ‘presentation’ is based on a query from IATA in the past requiring EASA to clarify whether passengers should be briefed on the contents of the safety briefing cards. This has been addressed by replacing the ‘content’ with ‘presentation’ of safety briefing card to better reflect that safety briefing card is displayed (shown) during the pre-flight safety briefing.

2.The text referring to ordinance signs has been amended to delete ‘illuminated’ and to include ‘pictograms’.

3. AMC1 contains a generic point on ‘safety belts or restraint systems’; the operator is to determine the necessary information to be provided to passengers on the use of the features in its customised configuration. The suggestion to include airbags in terms of briefing on restraint systems has been reflected in GM2 CAT.OP.MPA.170.

4.The text referring to demonstration of *individual flotation devices* has been deleted from AMC1. The aspect is covered in GM2 CAT.OP.MPA.170.

comment 23

comment by: *Janice Fisher*

(b) (1) (i) and (c) (1) (i) and (d) (1) (i)

Same comment as previous. What does 'if applicable' mean with regard to smoking regulations? If passengers have been told before take-off it is a non smoking airline, does this have to be repeated three more times?

response *Accepted*

AMC1 CAT.OP.MPA.170 has been revised in this aspect. A new point has been developed to address the ‘smoking regulations’. The new text provides a flexibility to operators to decide, according to the type of operation, how many times and when to brief passengers on, or remind them of, the operator’s smoking policy.

comment 29

comment by: *Patrick Berrens*

AMC1CAT.OP.MPA.170 Passenger briefing



PASSENGER BRIEFING Passenger briefings should contain the following: (a) Before take-off

(2) passengers should receive a demonstration of the following:

(i) the use of safety belts or restraint systems, including how to fasten and unfasten the safety belts or restraint systems;

(ii) the location of emergency exits;

Which kind of demonstration do you suggest?

My suggestion:

(2) passengers should receive a demonstration and/or shall be made aware of the following:

(i) the use of safety belts or restraint systems, including how to fasten and unfasten the safety belts or restraint systems;

(ii) the location of emergency exits;

response *Noted*

AMC1 CAT.OP.MPA.170 contains two separate points: point (a) recommends that passengers should *be briefed* on the listed elements; point (b) recommends that passengers should *receive a demonstration* of the listed elements. The Air OPS Regulation reflects the same principle as JAR-OPS1 and EU-OPS did. As explained in the EN, NPA 2015-18(C) proposes a transfer of information related to emergency exits (location of exits) from (a) to (b) – this is in line with ICAO Annex 6. This is considered an editorial amendment as the safety demonstration conducted either by cabin crew members or in the form of a safety video has always included a part demonstrating the location of exits.

comment 42

comment by: FAA

(a)(1)(vi) “Landing” should be added since the Safety Briefing Card has been added to the Before Landing Briefing. This would also relieve the requirement to reiterate the need for passenger review prior to landing, which generally is a higher workload environment for the flight crew than the Before –Takeoff phase of flight, especially in aircraft without a Cabin Crew, which requires the Flight Crewmembers to accomplish these briefings.

response *Not accepted*

The AMC recommends elements to be covered during passenger briefing for each stage of the flight separately, this is also in line with ICAO Doc 10002. The commentator’s proposal is valid; however, passenger briefing will take place on the level of the operator (not EASA), i.e.



the operator decides whether to merge the different phases of flight in one announcement, with regard to the ‘review of safety briefing card’, or separately. A recommendation on such merge on the AMC level would be too prescriptive.

comment 43

comment by: FAA

(b)(1)(i) Recommend adding restriction on smoking to include e-cigarette (pipes) and other electronic smoking devices.

response *Partially accepted*

In EU, the acceptance or prohibition of electronic smoking devices or pipes on board are at national level, i.e. the operator and the competent authority conducting an oversight of the operator’s activities decide whether these can or cannot be used on board. Also, EU Member States may have different laws on smoking in public places and this is beyond EASA’s remit. Therefore, the level of AMC contains a generic point on ‘smoking regulations’ and the accompanying GM provides explanation and guidance to operators on the aspect; GM2 CAT.OP.MPA.170(d)(11) has been amended to include the commentator-proposed examples.

comment 44

comment by: FAA

(c)(1)(vi)The location of the card has been covered in the Before-Takeoff briefing, and that should be adequate for the passenger to locate the card prior to landing. For aircraft without a Cabin Crewmember, such as is common in On-Demand air carrier operations, this requirement could have a negative safety impact, specifically considering that a Flight Crewmember would have to make this briefing, and the fact that the Safety Briefing cards could be located in various locations in the aircraft cabin, depending upon which seats are occupied, which would make this briefing longer, distracting the flight crewmember from their flying duties.

response *Noted*

The AMC recommends elements to be covered during passenger briefing for each stage of the flight separately, this is also in line with ICAO Doc 10002. AMC1 CAT.OP.MPA.170 recommends that passengers *should be reminded* of the listed elements, i.e. it is understood that such reminder would be addressed by a public announcement as the point does not state this would require a demonstration.



comment

49

comment by: *European Transport Workers Federation - ETF*

AMC1 CAT.OP.MPA.170 Passenger briefing

PASSENGER BRIEFING

Should this not include information on Lithiam batteries as mentioned earlier in the paper?

response

Noted

AMC1 CAT.OP.MPA.170 includes a general provision on 'portable electronic devices' and it is the operator's responsibility to develop the content within this point. GM2 CAT.OP.MPA.170 provides guidance to operator on what information should be considered – the operator decides how, i.e. in what form, to provide this information.

SIB 2015-28 Passenger Awareness on the risks of lithium batteries recommends that information to passengers is provided at the time of check-in and again when the bag is taken from the passenger to be checked at the gate, for example. The reason is that the person buying the ticket (therefore doing the booking) could be different from the person actually flying (a travel agency, for example) and what is important is that the message reaches the passenger who will actually fly. This is why the requirement is to provide this info *at least* during check-in. However, if the information is additionally provided during booking, it can help the passenger know how to pack and what to pack. This is at the operator's discretion; there is no requirement and no recommendation regarding the information provided during booking in this regard.

comment

57

comment by: *British Airways Flight Operations*

We are very concerned about the re-location of material from the section 'briefing' to 'demonstration'. Why has that been done? What is an 'illuminated ordinance sign'?

response

Noted

The transfer of this element, i.e. location of emergency exits, is an alignment with ICAO Annex 6, as explained in the EN of NPA 2015-18(C).

Ordinance sign is a sign in the cabin which gives an instruction in a pictorial form, e.g. no-smoking pictogram, fasten-seatbelt pictogram, return-to-seat pictogram, no use of electronic devices pictogram; when selected to 'on' position in the flight crew compartment, those that are bulb-based will be illuminated, i.e. brightened. Refer to ICAO Doc 10002.



comment

64

comment by: *KLM*

(a) (1) (ii) No scientific evidence exists for the assumption that it is safer to have window blinds in the secured open position during take-off and landing. The same goes for the level of cabin lighting during these phases.

(d) (1) Passenger briefing on smoking regulations are 'if applicable' except after landing. Why? Because of disembarkation on a ramp? Or smoking regulations inside the airport terminal?

response

Partially accepted

1.Examples of 'cabin secured aspects', including window blinds, are in line with ICAO Doc 10002. Open window blinds during taxiing, take-off and landing enable both the cabin crew and the passengers to see the outside conditions during the most critical stages of flight. The fact they are open may be vital; a rapid action by cabin crew members or information from passengers on outside conditions, which cabin crew may not be able to see from their crew stations, e.g. a flat tire, wing surface contamination, smoke/fire e.g. on the engine, etc. This NPA does not example cabin lighting during the hours of darkness.

2.AMC1 CAT.OP.MPA.170 has been revised in this aspect. A new point has been developed to address the 'smoking regulations'. The new text provides flexibility to operators to decide, according to the type of operation, how many times and when to brief the passengers or, or remind them of, the operator's smoking policy.

comment

78

comment by: *Finnish Transport Safety Agency*

AMC1 CAT.OP.MPA.170

Points (a)(1)(i), (b)(1)(i), (c)(1)(i) and (d)(1)(i)

Trafli supports the proposed amendments in general.

However, passengers should not need to be reminded of smoking regulations in all these four phases of the flight.

Please modify the text so that the operators are allowed to determine when and how many times they brief passengers about smoking regulations according to the nature of their operations.

response

Accepted

AMC1 CAT.OP.MPA.170 has been revised in this aspect. A new point has been developed to



address the ‘smoking regulations’. The new text provides flexibility to operators to decide, according to the type of operation, how many times and when to brief the passengers on, or remind them of, the operator’s smoking policy.

3.2. Draft EASA Decision — GM1 CAT.OP.MPA.170 Passenger briefing p. 14

comment

16

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

GM1 CAT.OP.MPA.170

A new GM on the emergency exit briefing.

The following new text in GM1 CAT.OP.MPA.170 is difficult to follow: ‘*Passenger(s) should communicate with the crew in the same language to ensure mutual understanding and should verbally acknowledge understanding of the instructions’.*

This means that passengers with direct access to emergency exits should understand and speak the same language as the crew. If not, they should be re seated.

There is no such language requirement in the Implementing Rules.

Suggested revised text: If possible, passenger(s) should communicate with the crew in the same language to ensure mutual understanding and should verbally acknowledge understanding of the instructions.

response

Accepted

The text in GM1 CAT.OP.MPA.170 has been amended.

comment

26

comment by: *Janice Fisher*

Second sentence should ask passengers to review the safety card and not just remind them.

Suggested text - Passengers should be asked to review the safety

response

Not accepted



The proposal has been consulted with the EASA TAG Expert group on Cabin Safety and it was concluded that the original wording should be retained, as both reflect the same request.

comment 30

comment by: DGAC France

According to the new point (3) in AMC1 CAT.OP.MPA.170 (Passenger briefing) only those passengers with direct access to emergency exits not staffed by cabin crew members should receive an additional briefing on the operation and use of the exit.

It is understood that passengers seated on seat rows with direct access to emergency exits other than so-called « self helped » exits (e.g. Type III or IV) do not need to receive a systematic briefing on the operation and use of the exit. Emergency exits other than self-help exits are primarily supposed to be operated by a trained cabin crew member.

Either revise subtitle of the GM as follows for clarity:

EMERGENCY EXIT BRIEFING FOR EXITS NOT STAFFED BY A CABIN CREW MEMBER

or

add a more detailed reference number in GM title : **GM1 CAT.OP.MPA.170 (a)(3)**

response *Not accepted*

The subtitle of GM1 CAT.OP.MPA.170 has been maintained as proposed in the NPA. The FAA AC121-24(C) states that ‘...the FAA strongly encourages air carriers to require crewmembers to provide a pre-flight personal briefing to each passenger *seated in an exit seat*.’; the FAA recommendation is open to any exit in the aircraft, not only to exits commonly referred to as ‘self-help exits’. The title should not be prescriptive and limiting, as the operator may decide that the exit briefing will be provided to passengers seated by each exit in the aircraft.

comment 36

comment by: European Helicopter Association (EHA)

Page 14 - GM2 CAT.OP.MPA.170 Passenger briefing - SAFETY BRIEFING MATERIAL:

The proposed amendment to go for single language is not supported. We have experienced better understanding by using English spoken language and national subtitles. Suggest to amend as follows:

...

(c) The safety video should be structured in a pace that allows a continuous ability to follow the presented information. The operator may consider including sign language or



~~subtitles to simultaneously complement the soundtrack. The subtitles should be of the same language as the soundtrack and should be adjusted to the pace of the picture for passengers ability to read and watch at the same time. The use of subtitles in a language different from that of the soundtrack should be avoided due to a distraction of two different languages whilst reading and watching the safety information at the same time.~~
...

response

Accepted

GM2 CAT.OP.MPA.170 contains explanations and guidelines the operator may consider when developing its standard operating procedures on the subject, i.e. the operator can decide on the combination. A safety video relays important safety information related to that aircraft/flight which may be vital to the passenger on that particular flight. Provision of such safety information should ensure there are no factors that may lead to a mix-up or non-understanding (caused by disturbances such as a simultaneous processing of two different languages) of the safety aspects. However, based on the comments received on this aspect, the text has been amended accordingly.

comment

58

comment by: *British Airways Flight Operations*

It would appear that the Agency has decided that any passenger sitting in an emergency exit row must speak the same language as the cabin crew, which is curious given that the safety briefing cards are pictographic. Is this really what the European Commission expected of the Agency? Again, the proposal is practically unworkable.

response

Partially accepted

GM1 CAT.OP.MPA.170 has been amended to reflect that the crew and passengers should communicate *in a way that ensures their mutual understanding*. The TCCA recommends that the exit briefing is conducted in *any language mutually understood both by the flight attendant and by the passenger*. Some EU operators require that passengers seated by exits not staffed by cabin crew members speak the languages specified by the operator and some operators also require that passengers are re-seated from exit seat(s)/seat rows to another seat row if they seem not to have understood the exit briefing.

comment

73

comment by: *IATA*

GM1 CAT OP MPA 179 Passenger briefing – page 14 of 26:

Passengers should be able to communicate with the crew in the same language to ensure



mutual understanding.

This is not always possible and allows airlines to discriminate against which customers may occupy exit rows. For example if an experienced cabin crew member travelled on a carrier whose principal language was not English, as this person might not speak their language he/she would not be able to sit at the exit, despite the fact that the person would have more experience in carrying out evacuations. The most important and key part is that the customer can understand the words used to **initiate an evacuation**, so that they can help open the exit if necessary.

response *Accepted*

GM1 CAT.OP.MPA.170 has been amended.

3.2. Draft EASA Decision — GM2 CAT.OP.MPA.170 Passenger briefing

p. 14-16

comment

17

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

A new GM on the content of safety briefing material to address the non-existence of provisions on safety briefing material and to provide a level playing field.

Sweden support the new GM2 CAT.OP.MPA.170

response

Noted

Thank you for the support.

comment

24

comment by: *Janice Fisher*

(d) (2) (i) Should include operation/use of seat belt airbags.

(d) (3) (iii) Do all drop down oxygen units have a positive indication of flow? Even if this is the case, there seems to be little benefit in telling passengers of this as during an emergency descent, they are unlikely to be moving around and changing seats. There seems no point in telling passengers how to identify active oxygen supply unless you are going to tell them what to do if it is not active. This seems to be too much information for passengers to retain.



(4) (v) As per previous comment, the use of baby flotation cots in particular is quite complex and would be difficult to include in a standard briefing. Some operators give individual passengers a briefing card with the information when they issue the cots, this would seem to be preferable and more focussed.

(5) (v) It would be difficult to identify an alternative exit that would always be usable in varying types of emergency.

response *Partially accepted*

1. Airbags are included in (d)(2)(iii).

2. The 'indication of active oxygen supply' is maintained, as the coloured indication (if the design of the oxygen mask includes it) may be included on a safety briefing card or in a safety video.

3. Flotation devices for babies: the operator may include a picture of the flotation device (if available on board) in the safety briefing card, in a safety video or, alternatively, may decide to hand out information cards to passengers travelling with infants when conducting the briefing as recommended in GM2 CAT.OP.MPA.155(b).

4. Alternative egress routes: operators include in their safety briefing cards arrowed lines pointing at all installed exits which provide an egress route from the aircraft; this is the intent of (d)(5)(v).

comment 25

comment by: *Janice Fisher*

(7) (ii) Unclear what 'awareness of the equipment design' means. Does it mean what it actually looks like?

(8) (ii) Will EASA be providing advice as to suitable brace positions for passengers with infants? At present, airlines appear to have varying positions and there is no standardisation.

(13) This could be quite a long list and would take up a lot of space on the safety card to show this in a clear, pictorial format. Its inclusion could reduce the clarity of more important information.

response *Noted*

1. Equipment design: some operators include in their safety briefing cards a drawing of the installed assisting evacuation device to make passengers aware of what to expect if required (e.g. round life raft, rectangle slide raft). The commentator's understanding is correct, the intent is *what it actually looks like*.



2.Brace positions: the ICAO Cabin Safety Group will look into the subject.

3.Checklist of actions in case of an emergency: this good practice – in a written format – has been identified in some of the operators’ safety briefing cards and it was reflected in the NPA proposal.

comment 27

comment by: *Janice Fisher*

This whole GM refers to safety briefing material and refers to safety videos and safety cards. It should include a practical safety equipment demonstration performed by cabin crew as an alternative to a video.

(a) and (c) this should also refer to the practical safety equipment demonstration performed by cabin crew in the absence of a video system.

(d) Refers to safety briefing material. Does this mean that all of the detailed information can be provided either in a demonstration, video or a safety card. it is not clear what is needed in which format.

response Noted

The content of pre-flight safety briefing is specified in AMC1 CAT.OP.MPA.170(a).

GM2 CAT.OP.MPA.170(a) states that safety briefing material may include but is not limited to an audiovisual presentation such as a safety video and a safety briefing card. The same GM2 contains guidance for operators to consider when developing the content of safety briefing material – safety video or a safety card.

comment 34

comment by: *Luftfahrt-Bundesamt*

GM2 CAT.OP.MPA.170 Passenger Briefing

1. Suggestion to slightly modify subparagraph (b): “The format of the Safety Briefing Cards should be such that there is enough space to give the information in a size easily visible to the passenger.”

2. Suggestion to add: “A passenger briefing should include instruction on the brace position(s) to be assumed upon the call-out ‘Safety Position’.”

3. Suggestion to add: “For the colours used in Safety Briefing Cards, human factors should be considered, namely:



	<p>- green for 'do!'</p> <p>- red for 'warning / don't!'"</p> <p>4. It should be considered whether special emergency briefing cards with all necessary information should be provided for the seats in exit seat rows thus allowing ABPs to familiarize themselves with their potential duties.</p> <p>5. With regard to the necessity to provide SCPs (e.g. blind or deaf passengers) with special pre-flight briefings, reference to Regulation (EU) No 1107/2006, Article 10, should be made.</p>
response	<p><i>Partially accepted</i></p> <p>1.GM2 CAT.OP.MPA.170(b) has been amended accordingly.</p> <p>2.Reference to brace positions is included in GM2 CAT.OP.MPA.170(d)(8).</p> <p>3.The recommendation on the use of colours has not been incorporated at this stage; however, it is noted for future discussions and updates.</p> <p>4.GM2 CAT.OP.MPA.170(b) has been amended accordingly.</p> <p>5.The Air OPS Regulation contains separate provisions on special categories of passengers.</p>
comment	<p>50</p> <p>comment by: <i>European Transport Workers Federation - ETF</i></p> <p>b)</p> <p>easily reachable to the seated passenger with seat belt fastened</p> <p>suggest to add the last 4 words.</p>
response	<p><i>Not accepted</i></p> <p>GM2 CAT.OP.MPA.170(b) contains the following guideline: 'The safety briefing card should be stowed in a location from where it is easily reachable to the seated passenger...'. The sentence already recommends that the distance should be such that the safety card can be easily reached by a <i>seated</i> passenger. The condition of a fastened seatbelt appears to be too prescriptive.</p>



comment 59

comment by: *British Airways Flight Operations*

The contents of this GM are, frankly, ridiculous! To include all of those (we note 'minimum' requirements) would require a 10-minute safety briefing. Please discard and start again, taking safety requirements as the starting point.

response *Noted*

Refer to FAA AC121-24(C) on Passenger safety information briefing and briefing cards which prescribes the subject in detail. The FAA AC has been reviewed when drafting the NPA proposal. The TCCA mandates provisions on the content of safety briefing cards on the level of Implementing Rule.

GM2 CAT.OP.MPA.170(a) states that safety briefing material '...may include but is not limited to an audiovisual presentation, such as a safety video and a safety briefing card.' The content of the pre-flight safety briefing is specified in AMC1 CAT.OP.MPA.170(a). It is at the operator's discretion how to present the pre-flight safety briefing, whether it will be conducted by cabin crew members or the operator will opt for a safety video. Safety video provides the potential to convey expanded (and visually delivered) information on an aspect e.g. on airbags if installed in seatbelts, life jackets or individual flotation devices for infants, the use of a supplementary loop belt for the restraint of an infant. The guidelines in this GM2 contain information which the operator may split between a safety video and a safety briefing card. The information included in the referenced GM2 reflects a summary based on a review of operators' safety briefing cards and safety videos (including the ones used by the commentator).

comment 63

comment by: *KLM*

(a) Could the live flight safety demonstration done by cabin crew members also be considered safety briefing material?

(b) The dimensions ('size') of the safety briefing card is no guarantee for easy visibility. It would be better to specify that the card is 'stowed in such a way that it is easily visible and reachable to the passenger'.

(c) No scientific evidence exists for the assumption that subtitling in a language different from the spoken text would cause distraction. To the contrary, in some European countries it has been the standard already for decades during television broadcasting to provide subtitles in the local language, which is – on purpose- very different from the original spoken language.

Furthermore subtitling is aimed at passengers who are deaf or hearing impaired. They are not likely to confuse the spoken language with subtitles.



(d) (1) It would be virtually impossible to depict on the card all the unsuitable stowage positions for hand baggage.

(d) (4) (ii) It is probably more effective to limit the instruction for the use of the infant life vest to passengers travelling with an infant e.g. instruction for use within infant life vest.

(d) (5) The number of emergency exits is irrelevant for the passenger once their location is correctly depicted on the card.

(d) (5) (iv) It would be very hard if not virtually impossible to depict /or define what an 'unusable exit' is. This comprises many scenarios including smoke, fire, water, obstacles, door blocking, slide malfunctioning, tail tipping? Furthermore a door which is inoperative cannot be shown in a demonstration video.

(d) (5) (viii) Why should a passenger know the exit height? Is it the vertical dimension of the emergency exit or is it the door sill height?

(d) (6) (i) What is an exit inside the aircraft?

(d) (7) (ii) What is meant by the design of the assisting evacuation means?

((13) Better not use a (written) checklist of actions in case of an emergency. This could better be depicted as graphics.

response

PARTIALLY ACCEPTED

1.The content of the pre-flight safety briefing is listed in AMC1 CAT.OP.MPA.170(a). Point (a)(1) recommends elements that passengers should be *briefed on*, if the elements are applicable to the operator's aircraft. Point (b) specifies that passengers should receive a *demonstration of* (i.e. seatbelts, oxygen, life jackets and location of exits). GM2 CAT.OP.MPA.170 provides guidelines to operators on safety briefing material, which may be but is not limited to a safety video or a safety briefing card (or additional leaflet/infographic containing safety information, e.g. a checklist on exit operation available in the exit rows).

2.GM2 CAT.OP.MPA.170(b) has been amended to reflect the proposal of a stowage that provides easy visibility to the passenger.

3.The Agency is of the opinion that the use of subtitles in safety videos is beneficial, not only for passengers exemplified by the commentator; however, this special category of passengers is unlikely to be disturbed by another language in the form of a soundtrack. Safety video relays important safety information related to that aircraft/flight which may be vital to the passenger on that particular flight. Indeed, it is a practice in some countries to also include a sign language in the daily television broadcasting; however, the nature of a television broadcasting is different from that of an airline relaying vital safety information. Provision of safety information that may become vital to passengers on that particular flight should ensure there are no factors that may lead to a mix-up or non-understanding (caused by disturbances such as simultaneous processing of two different languages at a time) of the safety aspects. However, based on the comments received, the text has been amended accordingly.



4.GM2 CAT.OP.MPA.170(d)(1) has been amended to include examples of what is meant by the point.

5.GM2 CAT.OP.MPA.170(d)(4)(ii) is maintained to reflect adult, child and infant. ICAO Annex 6 requires that passengers be made familiar with the location and use of life jackets, if carriage is prescribed; ICAO does not exclude any category.

6.GM2 CAT.OP.MPA.170(d)(5)(i) number and location of emergency exits: the inclusion of 'number of exits' has been made to reflect the good practice of many operators to also state during the safety demonstration, conducted by cabin crew members or in a safety video, the *number of exits on (this) aircraft* in addition to demonstrating their location. Safety briefing card would depict the location of exits.

7.GM2 CAT.OP.MPA.170(d)(5)(iv): unusable exit: it is a good practice of many operators to include on their safety briefing card a pictogram of an exit with pictograms of undesirable outside conditions which would not lead to opening of the exit.

8.GM2 CAT.OP.MPA.170(d)(5)(viii): awareness of exit height: this is relevant to aircraft with no installed assisting evacuation means, such as ATR42/72, Saab 340/2000, Dash 8, Fokker 50, etc. where passengers may not realise until the point of evacuation that there is no escape slide and the evacuation requires a jump down from a considerable height.

9.GM2 CAT.OP.MPA.170(d)(6)(i) has been amended to reflect 'depiction of routes to the exits (inside the aircraft)', i.e. 'inside the aircraft' in parenthesis as this is additional information.

10.GM2 CAT.OP.MPA.170(d)(7)(ii) awareness of the equipment's (assisting evacuation means) design: some operators include in their safety briefing cards a pictogram of the installed assisting evacuation device to make passengers aware of what to expect if required (e.g. round life raft, rectangle slide raft), i.e. the intention is make passengers aware of what it actually looks like.

11.GM2 CAT.OP.MPA(d)(13) checklist: the operator may opt for a written or for a pictographic form as deemed appropriate.

comment 69

comment by: *European Cockpit Association*

GM2 CAT.OP.MPA.170 Passenger briefing

Commented text:

SAFETY BRIEFING MATERIAL

ECA's Comment:

This newly developed GM2 CAT.OP.MPA.170 has got a full support of ECA.



	We particularly welcome point 9) portable electronic devices, including spare batteries.
response	<p><i>Noted</i></p> <p>Thank you for the support.</p>

comment 74

comment by: IATA

GM2 CAT OP MPA 170 – Page 14 of 26

This guidance material is overly prescriptive, complex and unrealistic. The level of detail might be warranted in a cabin crew training environment, but not as practical briefing material for passengers. If all the elements in (d) would be documented in a single document, the safety briefing cards would be more of a booklet than the standard effective briefing cards in existence today. If instead of a booklet the operator would opt for a video presentation the length of such video would be considerable.

We have to mention that more detailed, complex information is not always better from a safety standpoint. The effectiveness of today's airline safety briefing materials is just the fact that the right amount of information is provided to the passengers. We know that the attention span of passengers is limited so we need to capture this attention and make sure we present the most vital realistically features that might be needed. The rare extraordinary circumstances can be tackled by the professional cabin crew members while preparing a planned evacuation.

We would strongly suggest a complete revision of the GM 2.OP.MPA.170. However we insert some specific comments.

The operator may consider carrying safety briefing cards in braille if required.

While this is admirable and some airlines already do, they are rarely used due to the fact that many partially sighted customers do not actually read braille and even those with no sight may not either. There are also variations in the braille standard worldwide. How would an operator know if it was "required" or not? The same could also be stated for large print and multiple language translation of written safety instructions, so there is little benefit in ensuring that it is included here. It is also very difficult for an operator without prior experience to obtain such instructions in braille as suppliers are few and far between.

c) The use of subtitles in a language different to that of the (video) soundtrack should be avoided due to distraction of two different languages. This is unrealistic as many operators use the provision of a second language in closed captioning to provide the safety information to two nationalities at once. Without this second language, the operator may find that they have to employ further foreign language speaking cabin crew to deliver the second language



which may be required by local regulation.

On page 16 of 26, point 7) ii)

Awareness of the equipment's design. This implies that we have to teach customers about the design of a slide or slide raft. This is unrealistic. The slide/raft should be depicted on the card so that passengers know it is a slide or a raft. They do not need any further awareness of its design such as colour, texture etc.

response *Partially accepted*

NPA 2015-18(C) has summarised the good practices of operators on the listed elements and the availability of briefing cards in braille is one of them. GM2 CAT.OP.MPA.170(b) reads 'The operator *may consider* carrying safety briefing cards in braille if required.'; it has to be highlighted that GM2 contains guidance for operators which they may consider when developing their standard operating procedures; i.e. it is the operator who decides whether to carry cards in braille or not. TCCA mandates the carriage of safety cards in braille on board.

The Agency is of the opinion that the use of subtitles in safety videos is beneficial, not only for passengers with hearing impairments; however, this special category of passengers is unlikely to be disturbed by another language in the form of a soundtrack. Safety video relays important safety information related to that aircraft/flight which may be vital to the passenger on that particular flight. Hearing one language whilst simultaneously reading and trying to process the vital information in another language may prove to be counterproductive. Indeed, it is a common practice to subtitle movies; however, the purpose of an entertainment broadcasting is different from that of an aviation safety briefing. The operator should ensure, when providing safety information that may become vital to passengers on that particular flight, that there are no factors that may lead to a mix-up or non-understanding (caused by disturbances such as simultaneous processing of two different languages at a time) of the safety aspects. However, based on the comments received, the text has been amended accordingly.

GM2 CAT.OP.MPA.170(d)(7)(ii) awareness of the equipment's (assisting evacuation means) design: some operators include in their safety briefing cards a pictogram of the installed assisting evacuation device to make passengers aware of what it looks like, i.e. what to expect if their use becomes vital (e.g. round life raft, rectangle slide raft), this is the intention of the (d)(7)(ii).

comment 79

comment by: *Finnish Transport Safety Agency*

GM2 CAT.OP.MPA.170 point (c)

The proposed text is very descriptive. The details should be left for the operator to decide.

Please delete at least the following parts:



The safety video should be structured in a pace that allows a continuous ability to follow the presented information. The operator may consider including sign language or subtitles to simultaneously complement the soundtrack. ~~The subtitles should be of the same language as the soundtrack and should be adjusted to the pace of the picture for passengers ability to read and watch at the same time. The use of subtitles in a language different from that of the soundtrack should be avoided due to a distraction of two different languages whilst reading and watching the safety information at the same time.~~

response

ACCEPTED

The Agency is of the opinion that the use of subtitles or a sign language in safety videos is beneficial, not only for passengers with hearing impairments; however, this special category of passengers is unlikely to be disturbed by another language in the form of a soundtrack. Safety video relays important safety information related to that aircraft/flight which may be vital to the passenger on that particular flight. Hearing one language whilst simultaneously reading and trying to process the vital information in another language may prove to be counterproductive. Indeed, it is a common practice to subtitle movies; however, the purpose of an entertainment broadcasting is different from that of an aviation safety briefing. The operator should ensure, when providing safety information that may become vital to passengers on that particular flight, that there are no factors that may lead to a mix-up or non-understanding (caused by disturbances such as simultaneous processing of two different languages at a time) of the safety aspects. GM2 CAT.OP.MPA.170 contains guidance for operators which the operator may consider when developing their standard operating procedures on the aspect. However, based on the comments received, the text has been amended accordingly.

4. Regulatory Impact Assessment (RIA) — 4.1. Issues to be addressed

p. 17-19

comment

65

comment by: KLM

(4.1.1) In the withdrawn (!) EASA Proposed CM-CS-008 Issue 01 paragraph 3.2.1.: CS 25.803(a) it was EASA's position that, supposedly, control of passengers cannot be assured if floor level exits are unattended by cabin crew members. It was suggested by EASA that adverse passenger behavior in the absence of adequate supervision of the evacuation (in smoke) will have a potentially negative impact on the evacuation rate and, in worst cases, on passenger survivability rate. This position is repeated in NPA 2015-18(C). KLM together with EASA and IATA believe that to date there is still no scientific evidence, safety analysis and / or risk modelling delivered by EASA in order to assess the risk (RIA) as republished in NPA 2015-18(C).

(4.1.3) There is still no scientific evidence nor do 'several' occurrences point at the risk posed to aircraft occupants because of empty emergency exit rows. No evidence is delivered that



the presence of an able-bodied person is 'vital', or not providing a briefing would represent 'a further risk'.

(ICAO ADREP) ICAO ADREP does not give prove for life threatening consequences as a result of un-commanded opening of exits.

(4.4.1) No evidence exists for the 'serious consequences' or an 'inadequate level of safety' for Option 0.

(4.4.1) No evidence exists that Option 2 would 'ensure that the safety of the aircraft occupants is not jeopardized'.

(4.4.4) Additional cabin crew is a complement to the minimum required cabin crew, and these are not 'positioning crew'.

(4.5.1) No evidence exists for the 'risk of un-commanded opening of exits and the potentially serious consequences'.

(4.5.3) The proposed updates may introduce complexity for the passenger briefing card / video, and may even result to be controversial due to lost attention because of information overload.

response

NOT ACCEPTED

1. RIA sections 4.1.1 and 4.4.1 explain the subject matter as required by the rulemaking procedure. The basis for the RIA is the Pre-RIA for RMT.0575 and RMT.0576 circulated for consultation with the EASA Advisory Bodies, as per rulemaking procedure, in February 2013. The purpose and the background for NPA 2015-18(C) is explained in its EN. It is not the objective of this NPA to discuss minimum cabin crew.

2. RIA section 4.1.3 explains the risks as required by the rulemaking procedure. With regard to exit briefing proposed by NPA 2015-18(C), a study on passenger perceptions and performance related to the operation of Type III exit had been conducted by the Cranfield University. EASA cannot confirm if a study has been or is intended to be concluded on a global level on maintaining exit rows vacant for taxiing, take-off and landing. This subject is however currently discussed on a global level.

3. RIA section 4.4 discusses two possibilities: presence of positioning crew on board and the operating cabin crew complement on the flight, these are two separate aspects.

5. RIA section 4.5.3: GM2 CAT.OP.MPA.170 contains guidance for operators when developing their safety briefing material. The proposal reflects the practices currently applied by EU operators in their safety videos or in their safety cards. EASA has reviewed numerous safety videos and safety briefing cards when drafting the proposal. The new element recommended to be included in safety briefing material is 'portable electronic devices, *including spare batteries*', the reason for the inclusion of the spare batteries in safety information to passengers is explained in the EN to NPA 2015-18(C).



4. Regulatory Impact Assessment (RIA) — 4.3. Policy options

p. 20

comment

60

comment by: *British Airways Flight Operations*

We recommend option 0 as a preference, or option 1 otherwise.

response

Not accepted

The choice of Option 2 is explained in the EN and the RIA of NPA 2015-18(C).

4. Regulatory Impact Assessment (RIA) — 4.4. Analysis of impacts

p. 20-24

comment

61

comment by: *British Airways Flight Operations*

This analysis is deeply flawed - the economic impacts from:

Re-seating passengers

Re-briefing passengers

Greatly extended safety demonstration

will be large for all operators.

response

Not accepted

The EN and RIA explain the subject matter comprehensively and describe the underlying causes for this rulemaking activity.

comment

62

comment by: *British Airways Flight Operations*

It is interesting that the FAA and TCCA do not require passengers to sit in self-help



emergency exit rows, but EASA has decided to go down a different course

response Noted

EASA acts based on an instruction by the European Commission which has identified a safety problem with regard to leaving seat(s)/seat rows with direct access to exits empty during taxiing, take-off and landing. This is due to safety-unjustified extra charges for these seats if a passenger wants to occupy such seat. If no passenger pays the extra fee, the seat rows remain empty and no passenger is allowed to occupy them. This rising problem in EU has been identified as leading to an inadequate level of safety.

The fact that seat(s)/seat rows having direct access to exits not staffed by cabin crew members are empty poses a risk of nobody (i.e. passenger(s)) being briefed on the use and operation of the exit in case of an emergency, as the current EU operational rules do not contain any requirements, recommendations or guidance material on exit briefing or on safety briefing material and its content. The current EU legislation only requires that passengers receive a demonstration of *the location* of emergency exits. Furthermore, empty seat(s)/seat rows with direct access to exits and not staffed by cabin crew either will lead to a confusion amongst passengers (especially those seated in this part of the cabin) as to *who* is to act and open them in case of an emergency, since cabin crew members are too far away and may not be able to reach the exits or give commands; for example, aisle(s) will be obstructed by passengers trying to make their way out, loud noise, death or incapacitation of (cabin) crew, and on the contrary, *who* is to ensure the exits remain closed if the outside conditions require so, i.e. further danger to aircraft occupants is prevented (e.g. dense smoke entering the cabin). The regulatory requirements addressing child restraint systems recommend that these *should not be located in a row immediately forward or aft of an emergency exit*. The rules related to SCPs recommend that *these passengers should not be allocated seats that permit direct access to exits*. It means that persons allocated seats in the vicinity of these exits may also be passenger(s) with infants or children or SCPs. The absence of clarity of who should act and how may lead to delayed or incorrect actions by passengers which may ultimately lower the survivability of those on board.



