

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8000.288

9/8/04

Cancellation
Date: 9/8/05

**SUBJ: USE OF THE FLIGHT DECK JUMP SEAT BY AVIATION SAFETY INSPECTORS
WITH FACIAL HAIR**

1. PURPOSE. This notice provides information to aviation safety inspectors (ASI) about occupying the flight deck jump seat if facial hair (beards, moustaches, etc.) adversely affects the efficiency and performance of a required oxygen mask.

2. DISTRIBUTION. This notice is distributed to the division level in the Flight Standards Service in Washington headquarters; to the branch level in the regional Flight Standards divisions; to the Flight Standards District Offices; and to the Regulatory Standards Division at the Mike Monroney Aeronautical Center. This notice is also distributed electronically to the division level in the Flight Standards Service in Washington headquarters and to all regional Flight Standards divisions and district offices. This information is also available on the Federal Aviation Administration's (FAA) Web site at: <http://www.faa.gov/avr/afs/notices/8000/N8000-HAIR.doc>.

3. BACKGROUND.

a. Title 14 of the Code of Federal Regulations (14 CFR) section 121.548 requires the pilot in command (PIC) of an aircraft operated by a certificate holder to provide FAA ASIs with "... free and uninterrupted access to the pilot's compartment of that aircraft."

b. Title 14 CFR section 121.547(a)(4) does not limit the emergency authority of the "pilot in command to exclude any person from the flightdeck in the interests of safety."

c. It has come to the attention of the Flight Standards Service that some 14 CFR part 119-certificated air carriers are denying jump seat access to FAA ASIs wearing beards because of safety concerns about obtaining a proper seal with the oxygen mask. The air carrier's main concern is that in the event that the ASI needs to use the jump seat oxygen mask, sufficient oxygen might not be available to prevent the effects of hypoxia because of air leaks between the mask's seal and the inspector's facial hair.

(1) Numerous studies have been conducted that support this concern. One oxygen mask manufacturer draws a conclusion from these studies by stating that all masks will leak where the hair lies between the skin and seal. This manufacturer uses placards with their masks that state, "This mask has not been TSO-qualified for wear over beards or heavy facial hair growth."

(2) FAA publications also support this concern. Advisory Circular (AC) 120-43, The Influence of Beards on Oxygen Mask Efficiency, provides information about the effects of beards on masks in continuous flow and demand oxygen systems. Paragraph 6 of this AC states, "Bearded crewmembers should be aware that oxygen mask efficiency is reduced by the presence of facial hair. Demand masks,

such as those used in protective breathing equipment, many times cannot be donned rapidly nor seal effectively when used by bearded individuals.” Handbook Bulletin for Air Transportation 99-05, Occupancy of any Observer’s Seat Located on the Flight Deck, was issued on May 12, 1999. Among the items discussed are physical, cognitive, and language capabilities for persons who occupy an observer’s seat located on the flight deck, including the ability to physically don AND USE the observer’s seat oxygen mask without assistance from any crewmember.

(3) The National Transportation Safety Board issued Order EA-4841 on May 15, 2000, addressing this subject. That order overturned a lower-court Decisional Order, which found a violation under section 121.548 where the PIC of an air carrier aircraft, because of safety concerns, denied an FAA ASI wearing a beard access to the flight deck jump seat. Order EA-4841 states, “The possibility that during an emergency the crew might be distracted from operating the aircraft by a jump seat rider who was not receiving an adequate supply of oxygen to remain coherent and conscious seems to be a justifiable safety concern.” The Board also included this statement in its Order: “This decision, however, should not be read as a retreat from the Board’s position that we in no way condone ‘unjustified or insubstantial challenges to an FAA inspector’s authority [to exercise inspection responsibilities]....’ ” Order EA-4841 is available on-line at: http://www.nts.gov/alj/O_n_O/docs/aviation/4841.PDF

4. POLICY.

a. ASIs who occupy an observer seat on the flight deck of an aircraft must be able to physically don and use the observer seat oxygen mask, life preserver, smoke goggles, and appropriate protective breathing equipment without assistance from any crewmember. The intended user of this equipment must personally assure that a good fit and seal can be achieved using the equipment that is provided by the aircraft operator. An individual’s facial hair (beard, moustache, etc.) may affect the efficiency and performance of a mask. The lack of a seal between the mask and skin will result in a reduced amount of oxygen in the mask and will allow the entry of smoke or toxic fumes that could result in an individual’s reduced capability, awareness, and performance, potentially causing a distraction to the flightcrew during an emergency. Therefore, individuals with beards, moustaches, etc., that will affect the efficiency and performance of a mask should not occupy a seat on the flight deck.

b. If an air carrier’s safety policy results in a bearded ASI being denied access to the flight deck jump seat, the ASI will comply with that policy. Subject to a review by FAA management, an Enforcement Investigative Report based solely on a bearded ASI being denied access to the flight deck jump seat shall not be initiated.

5. INQUIRIES. This notice was jointly developed by the Air Transportation Division, AFS-200, the Aircraft Maintenance Division, AFS-300, and the General Aviation and Commercial Division, AFS-800. All questions or comments should be directed to AFS-200 at (202) 267-8166.

6. DISPOSITION. This notice will be incorporated into Order 8400.10, Air Transportation Operations Inspector’s Handbook, volume 1, chapter 4, section 4.

/s/ John M. Allen, for
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Director, Flight Standards Service