

# NOTICE

## U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8400.82

5/13/05

Cancellation  
Date: 5/13/06

### **SUBJ: PASSENGER BRIEFINGS IN PART 135 SINGLE-PILOT OPERATIONS**

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**1. PURPOSE.** This notice provides guidance to all principal operations inspectors (POI) of Title 14 of the Code of Federal Regulations (14 CFR) part 135 single-pilot operators that carry passengers and operate over water. This notice familiarizes the POIs and their operators with the circumstances of the Air Sunshine Flight 527 accident and emphasizes the need for pilots to provide timely emergency briefings, as required. It also responds to the National Transportation Safety Board (NTSB) safety recommendation number A-04-55.

**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/8400/n8400-82.doc>.

### **3. BACKGROUND.**

**a.** On July 13, 2003, at approximately 1530 Eastern Standard Time, Air Sunshine, Inc. (doing business as Tropical Aviation Services, Inc.), Flight 527, a Cessna 402C, N314AB, was ditched in the Atlantic Ocean about 7.35 nautical miles west-northwest of Treasure Cay Airport (MYAT), Treasure Cay, Great Abaco Island, Bahamas, after the inflight failure of the right engine. Two of the nine passengers sustained no injuries; five passengers and the pilot sustained minor injuries; and one adult and one child died after they evacuated the airplane. The airplane sustained substantial damage. The airplane was being operated under 14 CFR part 135 as a scheduled international passenger commuter flight from Fort Lauderdale/Hollywood International Airport, Fort Lauderdale, Florida, to MYAT. Visual meteorological conditions prevailed for the flight, which operated on a visual flight rules flight plan.

**b.** The NTSB issued safety recommendation number A-04-55 to FAA, requesting the FAA to issue guidance that would familiarize specific inspectors with the circumstances of Air Sunshine Flight 527 accident and emphasize the need for pilots to provide timely emergency briefings to passengers that would include, at a minimum, information about the location and operation of the onboard emergency equipment and exits. FAA regulations currently require these types of briefings. The FAA agrees with the safety intent of the NTSB in this recommendation. Accordingly, POIs affected by this notice are reminded to consider required

passenger briefings in their surveillance functions and are asked to emphasize the importance of such briefings by ensuring that the contents of this notice be made known to their respective operators.

**4. DISCUSSION.** Existing regulations explicitly require passenger briefings, including the location and means for opening passenger entry doors and emergency exits; location of survival equipment; ditching procedures; and the use of required flotation equipment. The pertinent rules are contained in part 135, section 135.117, and cover passenger-carrying and overwater operations of all aircraft under part 135, including small airplanes such as the Cessna 402C.

**5. ACTION.**

**a. Be Aware.** POIs affected by this notice should be aware of the circumstances of the Air Sunshine Flight 527 accident and the need for pilots of passenger-carrying airplanes operating over water to provide timely emergency briefings to their passengers in accordance with the requirements of section 135.117, with particular attention to the location and operation of the onboard emergency equipment and exits.

**b. Convey Information to the Operator.** Each POI affected by this notice should ensure that the contents are made known to the director of operations (DO) of the respective part 135 certificate holder. This content may be conveyed by hard copy or by referring the respective DO to the FAA public Web site for FAA notices, shown in paragraph 2.

**6. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS).** Document the conveyance of information contained in this notice to each affected certificate holder.

**a.** Use PTRS code 1030, Convey Safety Info.

**b.** Enter "N840082" (without quotes) in the "National Use" field.

**c.** Once the above information has been made known to the air carrier, close out the PTRS.

**7. DISPOSITION.** This notice will not be incorporated into Order 8400.10, Air Transportation Operations Inspector's Handbook. Questions concerning this notice should be directed to the Air Carrier Training Branch, AFS-210, at (202) 267-8166.

/s/ James J. Ballough  
Director, Flight Standards Service