



## ASOS Research Request

*We do not provide a Flight Attendant or a Tech in our mid sized bizjet, but our clients would like service in the cabin. Are there any safety concerns with sending back a pilot after the aircraft is at altitude?*

## ASOS Research Brief

Not only is this unsafe, **it is illegal**. When you receive requests like this, show them the following pertinent regulations. If cabin service is required, then bring along a TRAINED flight attendant.

Whether you are a Part 91 flight department, or a 135 on-demand air carrier, the regulations are very clear with regard to this request. Here is FAR Part 91.105 in its entirety.

### Sec. 91.105

Flight crewmembers at stations.

- (a) During takeoff and landing, and while en route, each required flight crewmember shall--
  - (1) Be at the crewmember station unless the absence is necessary to perform duties in connection with the operation of the aircraft or in connection with physiological needs; and
  - (2) Keep the safety belt fastened while at the crewmember station.

It is the opinion of the FAA Chief Counsel that ***“If the operation of the aircraft requires two pilots, cabin service or serving food and drink in flight is not considered to be necessary in connection with the safe operation of the aircraft and the required pilot who left his station to perform such service would be considered in violation of [91.105(a)(1)].”***

The reason for this rule, according to the FAA, is that each flight crewmember has specific duties that need to be performed when the need arises. Therefore they must be in a position to perform these duties, without undue delay. Physiological needs must be specifically for that purpose, and reasonable in length. ***Any other absences from the station must be related solely for the safe operation of the aircraft.***

For Part 135 on-demand air carriers, additional duties are even more restricted. Not only do you have to adhere to FAR Part 91.105, but you are also bound by FAR Part 135.100 “Flight Crewmember Duties.” These are the famous “sterile cockpit” rules.

## Sec. 91.105

(a) No certificate holder shall require, nor may any flight crew member perform any duties during a critical phase of flight except those duties required for the safe operation of the aircraft. Duties such as company required calls made for non-safety related purposes as ordering galley supplies and confirming passenger connections, announcements made to passengers promoting the air carrier or pointing out sights of interest and filling out company payroll and related records are not required for the safe operation of the aircraft.

(b) No flight crew member may engage in, nor may any pilot in command permit, any activity during a critical phase of flight which could distract any flight crew member from the performance of his or her duties or which could interfere in any way with the proper conduct of those duties. Activities such as eating meals, engaging in non-essential conversations within the cockpit and non-essential communications between the cabin and cockpit crews, and reading publications not related to the proper conduct of the flight are not required for the safe operation of the aircraft.

(c) For the purposes of this section, critical phase of flight involves all ground operations involving taxi, takeoff and landing, and all other flight operations conducted below 10,000 feet, except cruise flight.

**Note:** Taxi is defined as "movement of an airplane under its own power on the surface of an airport."

In 1981 the FAA enacted FAR 121.542 and FAR 135.100 to help curb the number of accidents involving distracted pilots. Commonly known as the "sterile cockpit rule," these regulations specifically prohibit crew member performance of non-essential duties or activities while the aircraft is involved in taxi, takeoff, landing, and all other flight operations conducted below 10,000 feet MSL, except cruise flight.

So if the passenger wants you to call for a limo when you are on approach, it is illegal for you to do this. If you are interrupted by someone entering the flight deck below 10,000 feet, ask them immediately "Is there an emergency?" This should get their attention and alert them to the seriousness of the situation.

**These are hard regulations set by the FAA. If you break them, you might not only have an unsafe situation on your hand, but you might well face enforcement action.**

When a customer books a 25 thousand dollar charter, they are going to expect caviar and champagne. A corporate executive wants to be treated as such. However, as professionals, it is our duty to adhere to the rules. Clearly stating the regulations before take-off should impress the passengers with the importance of these issues. This will also stress the professionalism of the crew.