

§ 121.311 Seats, safety belts, and shoulder harnesses.

(a) No person may operate an airplane unless there are available during the takeoff, en route flight, and landing -

(1) An approved seat or berth for each person on board the airplane who has reached his second birthday; and

(2) An approved safety belt for separate use by each person on board the airplane who has reached his second birthday, except that two persons occupying a berth may share one approved safety belt and two persons occupying a multiple lounge or divan seat may share one approved safety belt during en route flight only.

(b) Except as provided in this paragraph, each person on board an airplane operated under this part shall occupy an approved seat or berth with a separate safety belt properly secured about him or her during movement on the surface, takeoff, and landing. A safety belt provided for the occupant of a seat may not be used by more than one person who has reached his or her second birthday. Notwithstanding the preceding requirements, a child may:

(1) Be held by an adult who is occupying an approved seat or berth, provided the child has not reached his or her second birthday and the child does not occupy or use any restraining device; or

(2) Notwithstanding any other requirement of this chapter, occupy an approved child restraint system furnished by the certificate holder or one of the persons described in [paragraph \(b\)\(2\)\(i\)](#) of this section, provided:

(i) The child is accompanied by a parent, guardian, or attendant designated by the child's parent or guardian to attend to the safety of the child during the flight;

(ii) Except as provided in [paragraph \(b\)\(2\)\(ii\)\(D\)](#) of this section, the approved child restraint system bears one or more labels as follows:

(A) Seats manufactured to U.S. standards between January 1, 1981, and February 25, 1985, must bear the label: "This child restraint system conforms to all applicable Federal motor vehicle safety standards."

(B) Seats manufactured to U.S. standards on or after February 26, 1985, must bear two labels:

(1) "This child restraint system conforms to all applicable Federal motor vehicle safety standards"; and

(2) “THIS RESTRAINT IS CERTIFIED FOR USE IN MOTOR VEHICLES AND AIRCRAFT” in red lettering;

(C) Seats that do not qualify under [paragraphs \(B\)\(2\)\(ii\)\(A\)](#) and [\(b\)\(2\)\(ii\)\(B\)](#) of this section must bear a label or markings showing:

(1) That the seat was approved by a foreign government;

(2) That the seat was manufactured under the standards of the United Nations;

(3) That the seat or child restraint device furnished by the certificate holder was approved by the FAA through Type Certificate or Supplemental Type Certificate; or

(4) That the seat or child restraint device furnished by the certificate holder, or one of the persons described in [paragraph \(b\)\(2\)\(i\)](#) of this section, was approved by the FAA in accordance with [§ 21.8\(d\) of this chapter](#) or Technical Standard Order C-100b, or a later version. The child restraint device manufactured by AmSafe, Inc. (CARES, Part No. 4082) and approved by the FAA in accordance with [§ 21.305\(d\)](#) (2010 ed.) of this chapter may continue to bear a label or markings showing FAA approval in accordance with [§ 21.305\(d\)](#) (2010 ed.) of this chapter.

(D) Except as provided in [§ 121.311\(b\)\(2\)\(ii\)\(C\)\(3\)](#) and [§ 121.311\(b\)\(2\)\(ii\)\(C\)\(4\)](#), booster-type child restraint systems (as defined in Federal Motor Vehicle Safety Standard No. 213 ([49 CFR 571.213](#))), vest- and harness-type child restraint systems, and lap held child restraints are not approved for use in aircraft; and

(iii) The certificate holder complies with the following requirements:

(A) The restraint system must be properly secured to an approved forward-facing seat or berth;

(B) The child must be properly secured in the restraint system and must not exceed the specified weight limit for the restraint system; and

(C) The restraint system must bear the appropriate label(s).

(c) Except as provided in [paragraph \(c\)\(3\)](#) of this section, the following prohibitions apply to certificate holders:

(1) Except as provided in [§ 121.311\(b\)\(2\)\(ii\)\(C\)\(3\)](#) and [§ 121.311\(b\)\(2\)\(ii\)\(C\)\(4\)](#), no certificate holder may permit a child, in an aircraft, to occupy a booster-type child restraint system, a vest-type child restraint system, a harness-type child restraint system, or a lap held child restraint system during take off, landing, and movement on the surface.

(2) Except as required in [paragraph \(c\)\(1\)](#) of this section, no certificate holder may prohibit a child, if requested by the child's parent, guardian, or designated attendant, from occupying a

child restraint system furnished by the child's parent, guardian, or designated attendant provided -

(i) The child holds a ticket for an approved seat or berth or such seat or berth is otherwise made available by the certificate holder for the child's use;

(ii) The requirements of [paragraph \(b\)\(2\)\(i\)](#) of this section are met;

(iii) The requirements of [paragraph \(b\)\(2\)\(iii\)](#) of this section are met; and

(iv) The child restraint system has one or more of the labels described in [paragraphs \(b\)\(2\)\(ii\)\(A\)](#) through [\(b\)\(2\)\(ii\)\(C\)](#) of this section.

(3) This section does not prohibit the certificate holder from providing child restraint systems authorized by this section or, consistent with safe operating practices, determining the most appropriate passenger seat location for the child restraint system.

(d) Each sideward facing seat must comply with the applicable requirements of [§ 25.785\(c\) of this chapter](#).

(e) Except as provided in [paragraphs \(e\)\(1\)](#) through [\(e\)\(3\)](#) of this section, no certificate holder may take off or land an airplane unless each passenger seat back is in the upright position. Each passenger shall comply with instructions given by a crewmember in compliance with this paragraph.

(1) This paragraph does not apply to seat backs placed in other than the upright position in compliance with [§ 121.310\(f\)\(3\)](#).

(2) This paragraph does not apply to seats on which cargo or persons who are unable to sit erect for a medical reason are carried in accordance with procedures in the certificate holder's manual if the seat back does not obstruct any passenger's access to the aisle or to any emergency exit.

(3) On airplanes with no flight attendant, the certificate holder may take off or land as long as the flightcrew instructs each passenger to place his or her seat back in the upright position for takeoff and landing.

(f) No person may operate a transport category airplane that was type certificated after January 1, 1958, or a nontransport category airplane manufactured after March 20, 1997, unless it is equipped at each flight deck station with a combined safety belt and shoulder harness that meets the applicable requirements specified in [§ 25.785 of this chapter](#), effective March 6, 1980, except that -

(1) Shoulder harnesses and combined safety belt and shoulder harnesses that were approved and installed before March 6, 1980, may continue to be used; and

(2) Safety belt and shoulder harness restraint systems may be designed to the inertia load factors established under the certification basis of the airplane.

(g) Each flight attendant must have a seat for takeoff and landing in the passenger compartment that meets the requirements of [§ 25.785 of this chapter](#), effective March 6, 1980, except that -

(1) Combined safety belt and shoulder harnesses that were approved and installed before March, 6, 1980, may continue to be used; and

(2) Safety belt and shoulder harness restraint systems may be designed to the inertia load factors established under the certification basis of the airplane.

(3) The requirements of [§ 25.785\(h\)](#) do not apply to passenger seats occupied by flight attendants not required by [§ 121.391](#).

(h) Each occupant of a seat equipped with a shoulder harness or with a combined safety belt and shoulder harness must have the shoulder harness or combined safety belt and shoulder harness properly secured about that occupant during takeoff and landing, except that a shoulder harness that is not combined with a safety belt may be unfastened if the occupant cannot perform the required duties with the shoulder harness fastened.

(i) At each unoccupied seat, the safety belt and shoulder harness, if installed, must be secured so as not to interfere with crewmembers in the performance of their duties or with the rapid egress of occupants in an emergency.

(j) After October 27, 2009, no person may operate a transport category airplane type certificated after January 1, 1958 and manufactured on or after October 27, 2009 in passenger-carrying operations under this part unless all passenger and flight attendant seats on the airplane meet the requirements of [§ 25.562](#) in effect on or after June 16, 1988.

(k) ***Seat dimension disclosure.***

(1) Each air carrier that conducts operations under this part and that has a Web site must make available on its Web site the width of the narrowest and widest passenger seats in each class of service for each airplane make, model and series operated by that air carrier in passenger-carrying operations.

(2) For purposes of [paragraph \(k\)\(1\)](#) of this section, the width of a passenger seat means the distance between the inside of the armrests for that seat.