Billing Code 4910‑13

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 21

[Docket No. ; Notice No. ]

Special Conditions: 4[Modifier], Airbus Model A321 neo ACF and A321 neo XLR Airplane; Dynamic Test Requirements for Single Occupant Oblique Seats at an Installation Angle of 49 Degrees with Airbags and 3-point Restraint or Pretensioner Restraint Systems

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed special conditions.

**SUMMARY:** This action proposes special conditions for the airbus model a321 neo acf and a321 neo xlr if applicable (see issue paper/worksheet): series airplane. this airplane4[, as modified by ,] will have a novel or unusual design features when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. this design feature is the airbus model a321 neo acf and a321 neo xlr series airplanes will incorporate single occupant oblique seats, with airbag devices and 3-point restraints or pretensioner restraint system, installed at 49 degrees relative to the aircraft cabin bow-to-stern centerline.. the applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. these proposed special conditions contain the additional safety standards that the administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Send comments on or before [INSERT DATE 45 (or 30, if appropriate; no fewer than 20 days under urgent circumstances) DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Send comments identified by Docket No. using any of the following methods:

Federal eRegulations Portal: Go to www.regulations.gov and follow the online instructions for sending your comments electronically.

Mail: Send comments to Docket Operations, M-30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue, SE, Room W12-140, West Building Ground Floor, Washington, DC, 20590-0001.

Hand Delivery or Courier: Take comments to Docket Operations in Room W12‑140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Fax: Fax comments to Docket Operations at 202-493-2251.

Docket: Background documents or comments received may be read at [www.regulations.gov](https://www.regulations.gov/) at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Shannon Lennon, Cabin Safety Section, AIR-624, Technical Policy Branch OR Organization and System Policy Branch, Policy and Standards Division, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, WA 98198; telephone (206)231-3209; email Shannon.Lennon@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the proposed special conditions, explain the reason for any recommended change, and include supporting data.

For notices with a comment period of less than 45 days (30 days, or no fewer than 20 days under urgent circumstances) the following justification may be used, if appropriate:

Certification of the Airbus Model A321 neo ACF and A321 neo XLR series airplane is currently scheduled for . The substance of these special conditions, in all material respects, has been subject to the notice and public-comment procedure in several prior instances. Therefore, because a delay would significantly affect the applicant’s installation of the new or unusual feature, and delay certification of the airplane, the FAA is reducing the public-comment period to 20 days.

The FAA will consider all comments received by the closing date for comments, and will consider comments filed late if it is possible to do so without incurring delay. The FAA may change these special conditions based on the comments received.

Privacy

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in title 14, Code of Federal Regulations (14 CFR) 11.35, the FAA will post all comments received without change to [www.regulations.gov](https://www.regulations.gov/), including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about these special conditions.

Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to these special conditions contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to these special conditions, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and the indicated comments will not be placed in the public docket of these proposed special conditions. Send submissions containing CBI to the individual listed in the For Further Information Contact section above. Comments the FAA receives, which are not specifically designated as CBI, will be placed in the public docket for these proposed special conditions.

Background

On April 4, 2024, Airbus S.A.S applied for 1[a type certificate for its new Model [[NEED:Airplane model]]] 2[an amendment to Type Certificate No. (does not apply to new TC project): to include the new Model A321 neo ACF and A321 neo XLR] 3[a change to Type Certificate No. (does not apply to new TC project): for description of change in/on the A321 neo ACF and A321 neo XLR] 4[a supplemental type certificate for description of change in the Model A321 neo ACF and A321 neo XLR] if applicable (see issue paper/worksheet): series airplane. The 1, 3 or 4[Airbus Model A321 neo ACF and A321 neo XLR if applicable: series airplane] 2[Airbus Model A321 neo ACF and A321 neo XLR if applicable: series] airplane, which is a derivative of the Model preceding model name currently approved under Type Certificate No. (does not apply to new TC project):, is provide brief description of the airplane, including such parameters as function (freighter, etc.), passenger capacity, max. takeoff weight, range, powerplants, etc.

Type Certification Basis

**1[Under the provisions of 14 CFR 21.17, Airbus S.A.S must show that the Model A321 neo ACF and A321 neo XLR if applicable: series airplane meets the applicable provisions of part 21, as amended by amendments applicable amendment number, e.g. 25-1 through amendment in effect on the date of application].**

**2[Under the provisions of 14 CFR 21.101, Airbus S.A.S must show that the Model A321 neo ACF and A321 neo XLR if applicable: series airplane meets the applicable provisions of the regulations listed in Type Certificate No. (does not apply to new TC project):, or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA.]**

**3 or 4[Under the provisions of 14 CFR 21.101, Airbus S.A.S must show that the Airbus S.A.S must show that changes to the Airbus Model A321 neo ACF and A321 neo XLR if applicable: series airplane, as changed, continues to meet the applicable provisions of the regulations listed in Type Certificate No. (does not apply to new TC project): or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA.]**

2, 3, or 4[If applicable (rarely): In addition, if the regulations listed do not provide adequate standards regarding the change, the applicant must comply with certain regulations in effect on the date of application for the change. The FAA has determined that the Airbus Model A321 neo ACF and A321 neo XLR if applicable, per TCDS/Worksheet: series airplane must also comply with the following sections of part 21, as amended by amendments applicable amendment number, e.g. 25-1 through amendment in effect on the date of application:

List the additional sections.**]**

If the Administrator finds that the applicable airworthiness regulations (e.g., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Airbus Model A321 neo ACF and A321 neo XLR if applicable, per TCDS/Worksheet: series airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. **1[**Should the type certificate for that model be amended later to include any other model that incorporates**]** **2 or 3[**Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate**]** **4[**Should the applicant apply for a supplemental type certificate to modify any other model included on the same type certificate to incorporate] the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Airbus Model A321 neo ACF and A321 neo XLR applicable, per TCDS/Worksheet: series airplane must comply with the only for 14 CFR part 23 and 27: fuel-vent and only for 14 CFR part 23, 25, 27, 29: exhaust-emission requirements of 14 CFR part 34 only for 14 CFR part 23, 25, 27, 29:, and the noise-certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with as appropriate: title 14, Code of Federal Regulations (14 CFR) **OR** 14 CFR **OR** § 11.38, and they become part of the type certification basis under **1[**§ 21.17(a)(2)**]** **2, 3 or 4[**§ 21.101**]**.

Novel or Unusual Design Features

The Airbus Model A321 neo ACF and A321 neo XLR if applicable: series airplane will incorporate the following novel or unusual design feature(s):

The Airbus Model A321 neo ACF and A321 neo XLR series airplanes will incorporate single occupant oblique seats, with airbag devices and 3-point restraints or pretensioner restraint system, installed at 49 degrees relative to the aircraft cabin bow-to-stern centerline.

Discussion

(Extracted from the discussion section of the 25-811-SC: as modified to correct applicant, and change airplane model. Pretensioner restraint related discussion has been added and extracted from the discussion section of the 25-861-SC.)  
Section 25.785(d) requires that each occupant of a seat installed at an angle of more than 18 degrees, relative to bow-to-stern airplane cabin centerline, must be protected from head injury using a seatbelt and an energy-absorbing rest that supports the arms, shoulders, head, and spine, or using a seatbelt and shoulder harness designed to prevent the head from contacting any injurious object.

The proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

As discussed above, these proposed special conditions are applicable to the model for which they are issued. **1[**Should the type certificate for that model be amended later to include any other model that incorporates**]** **2 or 3[**Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate**]** **4[**Should the applicant apply for a supplemental type certificate to modify any other model included on the same type certificate to incorporate**]** the same novel or unusual design feature, these special conditions would apply to the other model as well.

Conclusion

This action affects only (a) certain novel or unusual design feature(s) on one model if applicable: series of airplanes. It is not a rule of general applicability **4[**and affects only the applicant who applied to the FAA for approval of these features on the airplane**]**.

List of Subjects in 14 CFR Part 21

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

Authority Citation

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701, 44702, and 44704.

The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for Airbus Model A321 neo ACF and A321 neo XLR if applicable: series airplanes 4[, as modified by Airbus S.A.S].

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Airbus Model A321 neo ACF and A321 neo XLR series airplanes.  
In addition to the requirements of §§ 25.562 and 25.785, passenger seats with airbag devices and 3-point restraints or pretensioner restraints, installed at an angle 49 degrees from the aircraft centerline must meet the following:

**[**Note that the OFR Document Drafting Handbook (DDH) recommends **no more than 3 paragraph-numbering levels**. The following indicate autonumbering style names in the style sheet. NOTE: OFR does not accept what they call “autonumbering”. Numbering should use SC Text style and be hand-numbered. If previous SCs have been issued, its acceptable to use that numbering if it differs from the sample below. All numbering should be aligned left without indents for each paragraph.

(a) First level

(1) Second level

(i) Third level

(A) Fourth level

(1) Fifth level

(i) Sixth level

If SME is from the Technical Policy Branch, AIR‑620:

Issued in Kansas City, Missouri, on date.

Patrick R. Mullen,

Manager, Technical Policy Branch,

Policy and Standards Division,

Aircraft Certification Service.

If SME is from the Systems Policy Branch, AIR‑630:

Issued in Washington, DC, on date.

Brian Cable,

Manager, Organization and System Policy Branch,

Policy and Standards Division,

Aircraft Certification Service.

If an Acting Manager signs the SC, use this signature block:

Issued in City, State, on date.

Signatory name,

Acting Manager, branch name: Technical Policy Branch OR Organization and System Policy Branch,

Policy and Standards Division,

Aircraft Certification Service.