

§ 121.574

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must be given before reaching the overwater part of the flight.

[Doc. No. 2033, 30 FR 3206, Mar. 9, 1965, as amended by Amdt. 121-144, 43 FR 22648, May 25, 1978; Amdt. 121-146, 43 FR 28403, June 29, 1978]

§ 121.574 Oxygen for medical use by passengers.

(a) A certificate holder may allow a passenger to carry and operate equipment for the storage, generation, or dispensing of oxygen when the following conditions are met:

(1) The equipment is—

(i) Furnished by the certificate holder;

(ii) Of an approved type or is in conformity with the manufacturing, packaging, marking, labeling, and maintenance requirements of 49 CFR parts 171, 172, and 173, except § 173.24(a)(1);

(iii) Maintained by the certificate holder in accordance with an approved maintenance program;

(iv) Free of flammable contaminants on all exterior surfaces;

(v) Capable of providing a minimum mass flow of oxygen to the user of four liters per minute;

(vi) Constructed so that all valves, fittings, and gauges are protected from damage; and

(vii) Appropriately secured.

(2) When the oxygen is stored in the form of a liquid, the equipment has been under the certificate holder's approved maintenance program since its purchase new or since the storage container was last purged.

(3) When the oxygen is stored in the form of a compressed gas as defined in 49 CFR 173.300(a)—

(i) The equipment has been under the certificate holder's approved maintenance program since its purchase new or since the last hydrostatic test of the storage cylinder; and

(ii) The pressure in any oxygen cylinder does not exceed the rated cylinder pressure.

(4) Each person using the equipment has a medical need to use it evidenced by a written statement to be kept in that person's possession, signed by a licensed physician which specifies the maximum quantity of oxygen needed each hour and the maximum flow rate needed for the pressure altitude cor-

responding to the pressure in the cabin of the airplane under normal operating conditions. This paragraph does not apply to the carriage of oxygen in an airplane in which the only passengers carried are persons who may have a medical need for oxygen during flight, no more than one relative or other interested person for each of those persons, and medical attendants.

(5) When a physician's statement is required by paragraph (a)(4) of this section, the total quantity of oxygen carried is equal to the maximum quantity of oxygen needed each hour, as specified in the physician's statement, multiplied by the number of hours used to compute the amount of airplane fuel required by this part.

(6) The pilot in command is advised when the equipment is on board, and when it is intended to be used.

(7) The equipment is stowed, and each person using the equipment is seated, so as not to restrict access to or use of any required emergency, or regular exit or of the aisle in the passenger compartment.

(b) No person may, and no certificate holder may allow any person to, smoke within 10 feet of oxygen storage and dispensing equipment carried in accordance with paragraph (a) of this section.

(c) No certificate holder may allow any person to connect or disconnect oxygen dispensing equipment, to or from a gaseous oxygen cylinder while any passenger is aboard the airplane.

(d) The requirements of this section do not apply to the carriage of supplemental or first-aid oxygen and related equipment required by this chapter.

[Doc. No. 12169, 39 FR 42677, Dec. 6, 1974, as amended by Amdt. 121-159, 45 FR 41594, June 19, 1980]

§ 121.575 Alcoholic beverages.

(a) No person may drink any alcoholic beverage aboard an aircraft unless the certificate holder operating the aircraft has served that beverage to him.

(b) No certificate holder may serve any alcoholic beverage to any person aboard any of its aircraft who—

(1) Appears to be intoxicated;