



September 22, 2003

Docket Management System
U.S. Department of Transportation
400 Seventh Street, SW
Nassif Building, Room PL-401
Washington, DC 20590-0001

RE: Docket No. FAA-2003-15751; JetBlue Airways, Inc.

Dear Sir or Madam:

The Association of Flight Attendants (AFA), AFL-CIO, would like to submit the following comments regarding JetBlue Airway's Petition for Exemption to operate their Airbus A-320 aircraft equipped with a new type child restraint device. The AFA represents 50,000 flight attendants at 26 airlines.

AFA has for many years advocated elimination of the rule allowing children under the age of two years of age to be the only passengers onboard an aircraft to be left unrestrained during takeoff, landing, movement on the surface and during flight. However, this petition for exemption still does not solve that problem because the device is for use only by children greater than 1 year of age, and 22-44 pounds in weight. This device still leaves the youngest traveler, those under the age of one, without mandatory restraint protection afforded to all other occupants. The Federal Aviation Administration (FAA) needs to finally require the use of Child Restraint Systems (CRS) in aircraft as was initiated in the 1998 rulemaking process. A completion and approval of that rulemaking process should be finalized as soon as possible and should take precedence over other initiatives that do not provide protection for all children.

The petitioner is requesting that their petition for an exemption from portions of 14 CFR 121.311 and 14 CFR 91.07 be granted in an expeditious manner stating that the AM-SAFE Child Safety System (CSS) will enhance public safety for children in the appropriate age range. Yet, according to their own petition for exemption, while the FAA LAACO may have itemized the requirements to receive an STC for this device, one has not yet been granted. AFA believes that dynamic testing must be conducted to ensure that the device can protect the occupant and that the device does not interfere with other structures on the aircraft seat or impede the evacuation of other occupants of the aircraft. Until this testing has been completed and the device has been approved as safe for use onboard the aircraft by the FAA, the petition for exemption should be denied. AFA believes that granting this petition for exemption would be premature.

While AFA acknowledges that JetBlue and AM-SAFE have tried to make traveling safer for some of our younger passengers we still have some additional comments regarding the AM-SAFE CSS.



Location

JetBlue has stated the special conditions for the AM-SAFE CSS will prohibit the device from being used in the emergency exit rows. AFA believes that the FAA should follow their own guidance and continue to ensure that preferred locations such as window seats for CRS should still be recommended for this device. The FAA must prohibit the device from being located in the row forward of the emergency exit. AFA is concerned with the interaction of the straps positioned around the seat back and their possible interference or hazard to passengers during an emergency egress.

Testing

AFA is also concerned with the straps interfering with the proper operation and stowage of the tray table. Proper testing must be completed to ensure that the tray table stays in the locked position during a dynamic sequence so that emergency egress is not impeded. Again, prohibiting the device from being located in the row in front of an emergency exit would help ensure that this concern is addressed.

We are also concerned with the strap around the seat back and the forces needed to tighten the strap to ensure that it does not slip down and remains at the appropriate height for the child occupant. Unlike current child restraint systems whose installation remains static throughout the flight there is no experience or data from which to conclude that slippage will not occur. Slippage of the upper belt for the shoulder restraints could result in the shoulder belts pulling down on the child occupant.

Some of the current lap belts cannot be adjusted small enough to properly fit a small child. While this device has been developed to work with the current seat belt restraint system this poor adjustment around the pelvic area of the child could result in an injury by the new device or the current belt.

This petition for exemption specifies that it is only for the Airbus 320 aircraft in the JetBlue fleet. AFA assumes this is because the device would only be approved for the seat design on this particular aircraft. In keeping with that approach, before the device can be utilized in any other JetBlue aircraft or model of seat, the same static and dynamic seat testing must be conducted to ensure that the restraint device is compatible with the particular seat design.

Availability and Installation

JetBlue has stated that these restraint devices will be provided for families on the A-320 aircraft as they can be easily stored on board the airplane and distributed for use much like an extender belt. AFA agrees that the operator should provide the device because only the operator will be able to determine which aircraft type the device is permitted to be used on board. In light of this fact, to pre-empt any questions regarding the availability of the restraint device we do not believe that this device should be sold to the general public.

JetBlue has stated that the device will be simple to install and that “clear, concise, and obvious instructions” will be available to flight and cabin crew to ensure proper installation and use. The reference above infers that the device will be given to the family for installation, yet as the largest association for flight attendants I find it hard to believe that the task of initial installation, or re-installation after the parent attempts to install the device, will not fall squarely on the shoulders of the flight attendant onboard the aircraft. We have some concerns regarding these additional tasks taking us away from our primary safety and security duties. This also brings into question the

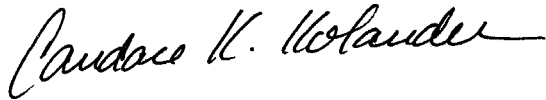
general boarding process. In recent years we have observed the industry moving away from pre-boarding of passengers traveling with infants and small children.

Although the operator has stated the restraint device will be easy to install, it is a new type of device that the general public, and the flight attendants, have not seen before in aviation. Education on the proper installation is necessary. It is therefore imperative that the operator also include a hands-on training on the proper installation and use of this restraint device for all the JetBlue flight attendants. This is to ensure that the flight attendants understand the importance of proper tightening and placement of all the straps associated with the restraint device.

Conclusion

While AFA has pointed out some of our concerns with the introduction of this device in the aircraft cabin, it is our position that this petition for exemption should be denied primarily because dynamic testing and approval has not been issued for this device. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Candace K. Kolander". The signature is written in a cursive, flowing style.

Candace K. Kolander
Coordinator, Air Safety, Health and Security