



McBreen & Kopko

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Aviation Group Client Update

Shelley A. Ewalt, Partner | sewalt@mklawny.com | +1 703 399 6078

DEPARTMENT OF TRANSPORTATION (DOT) ISSUES “DOORS-OFF” AND “OPEN-DOOR” EMERGENCY PROHIBITION ORDER

On March 22, 2018, DOT issued an [Emergency Prohibition Order](#) which became effective immediately.

Summary. The Prohibition Order was issued to all operators and pilots of flights for compensation or hire with the doors open or removed in the U.S. or using aircraft registered in the U.S. for doors-off flights. It prohibits the use of supplemental passenger restraint systems that cannot be released quickly in an emergency in doors off flight operations, as well as passenger-carrying doors off flight operations unless the passengers are at all times properly secured using FAA-approved restraints.

The order after a helicopter accident that occurred on March 11, 2018, on the East River near New York City, New York. A harness system used by the operator of the helicopter involved in the accident was deemed to significantly delay or prevent passengers from exiting the aircraft in an emergency.

Scope. The Prohibition order applies to all persons (including but not limited to pilots) conducting doors off flights for compensation or hire in the U.S. or using aircraft registered in the U.S. to conduct such operations. The order will remain in effect until the FAA issues and order rescinding or modifying same. Failure to comply with the order will result in a civil penalty for each flight found to have operated in violation of the order which could cost small business up to about \$13,000 per flight and up to \$33,000 per flight for other entities.

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McBreen & Kopko's Aviation Group represents air carriers, fixed base operators (FBOs), airport managers, aviation service providers, and business aircraft owners and operators on a wide range of aviation issues including regulatory matters, commercial transactions, aircraft finance matters, and bankruptcy and creditors' rights.