boarding, an air carrier need not pro-
vide a seat in a no-smoking section to
a passenger who has not met the car-
rier’s requirements as to time and
method of obtaining a seat on the
flight, or who does not have a con-
firmed reservation. If a seat is avail-
able in the established no-smoking sec-
tion, however, an air carrier shall seat
there any enplaning passenger who so
requests, regardless of boarding time or
reservation status.

§ 252.8 Extent of smoking restrictions.
The restrictions on smoking de-
scribed in §§252.3 through 252.7 shall
apply to all locations within the air-
craft.

§ 252.9 Ventilation systems.
Air carriers shall prohibit smoking
whenever the ventilation system is not
fully functioning. Fully functioning for
this purpose means operating so as to
provide the level and quality of ven-
tilation specified and designed by the
manufacturer for the number of per-
sons currently in the passenger com-
partment.

§ 252.11 Aircraft on the ground.
(a) Air carriers shall prohibit smok-
ing whenever the aircraft is on the
ground.
(b) With respect to the restrictions
on smoking described in §252.5, foreign
air carriers shall prohibit smoking
from the time an aircraft begins en-
planing passengers until the time pas-
sengers complete deplaning.

§ 252.13 Small aircraft.
Air carriers shall prohibit smoking
on aircraft designed to have a pas-
senger capacity of 30 or fewer seats.

Note to §252.13: This section, like the rest
of this part, does not apply to on-demand
services of air taxi operators; see §252.2 in
this part.

§ 252.15 Cigars and pipes.
Air carriers shall prohibit the smok-
ing of cigars and pipes aboard aircraft.

§ 252.17 Enforcement.
Air carriers and foreign air carriers
shall take such action as is necessary
to ensure that smoking by passengers
or crew is not permitted in the pas-
senger cabin or lavatories on no-smok-
ing flight segments. Air carriers shall
take such action as is necessary to en-
sure that smoking by passengers or
crew is not permitted in no-smoking
sections or at other times or places
where smoking is prohibited by this
part, and to maintain required separa-
tion of passengers in smoking and no-
smoking areas.

§ 252.19 Single-entity charters.
On single-entity charters operated
pursuant to §§207.50 or 208.300 of this
title, air carriers need not comply with
the procedures of this part 252 if such a
request is made by the charterer, pro-
vided that each passenger on such
flights is given notice of the smoking
procedures for the flight at the time he
or she first makes arrangements to
take the flight.

PART 253—NOTICE OF TERMS OF
CONTRACT OF CARRIAGE

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tract of carriage.
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Authority: 49 U.S.C. 40113; 49 U.S.C. Chap-
ters 401, 415 and 417.

Source: ER–1302, 47 FR 52134, Nov. 19, 1982,
unless otherwise noted.

§ 253.1 Purpose.
The purpose of this rule is to set uni-
form disclosure requirements, which
preempt any State requirements on the
same subject, for terms incorporated
by reference into contracts of carriage
for scheduled service in interstate and
overseas passenger air transportation.

§ 253.2 Applicability.
This rule applies to all scheduled di-
rect air carrier operations in interstate
and overseas air transportation. It ap-
plies to all contracts with passengers,