

and center consoles, food trays, video monitors, and shrouds.

#### Clarification of “Exposed”

“Exposed” is considered to include those panels directly exposed to the passenger cabin in the traditional sense, plus those panels enveloped, such as by a dress cover. Traditional fabrics or leathers currently used on seats are excluded from the special conditions. These materials must still comply with § 25.853(a) and (c) if used as a covering for a seat cushion, or § 25.853(a) if installed elsewhere on the seat. Large, non-metallic panels covered with traditional fabrics or leathers will be tested without their coverings or covering attachments.

#### Applicability

As discussed above, these special conditions are applicable to the Boeing Model 757–200 series airplane. Should Delta Flight Products apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A2NM to incorporate the same novel or unusual design feature, these special conditions would apply to that model as well.

#### Conclusion

This action affects only certain novel or unusual design features on one model series of airplanes. It is not a rule of general applicability 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 25

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), 106(g), 40113, 44701, 44702, 44704.

#### The Special Conditions

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 Boeing Model 757–200 series airplanes, as modified by Delta Flight Products.

1. Compliance with 14 CFR part 25, Appendix F, parts IV and V, heat release and smoke emission, is required for seats that incorporate large, non-traditional, non-metallic panels that may either be a single component or multiple components in a concentrated area in their design.

2. The applicant may designate up to and including 1.5 square feet of non-

traditional, non-metallic panel material per seat place that does not have to comply with No. 1. A triple seat assembly may have a total of 4.5 square feet excluded on any portion of the assembly (e.g., outboard seat place 1 sq. ft., middle 1 sq. ft., and inboard 2.5 sq. ft.).

3. Seats need not meet the test requirements of part 25 Appendix F, parts IV and V when installed in compartments that are not otherwise required to meet these requirements. Examples include:

a. Airplanes with passenger capacities of 19 or fewer.

b. Airplanes that do not have smoke emission and heat release in their certification basis and do not need to comply with the requirements of 14 CFR 121.312.

c. Airplanes exempted from heat-release and smoke-emission requirements.

Issued in Des Moines, Washington, on March 12, 2020.

**James E. Wilborn,**

*Acting Manager, Transport Standards Branch, Policy and Innovation Division, Aircraft Certification Service.*

[FR Doc. 2020–06339 Filed 3–31–20; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 61

[Docket No.: FAA–2020–0312]

#### Enforcement Policy for Expired Airman Medical Certificates

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Notification of enforcement policy.

**SUMMARY:** Due to extraordinary circumstances related to the Novel Coronavirus Disease (COVID–19) pandemic, until June 30, 2020, the Federal Aviation Administration (FAA) will not take legal enforcement action against any person serving as a required pilot flight crewmember or flight engineer based on noncompliance with medical certificate duration standards when expiration of the required medical certificate occurs from March 31, 2020, through June 30, 2020.

**DATES:** The policy described herein is effective from March 31, 2020, through June 30, 2020.

**FOR FURTHER INFORMATION CONTACT:** James Barry, Manager, Policy/Audit/

Evaluation, Enforcement Division, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8198; email: [james.barry@faa.gov](mailto:james.barry@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

FAA regulations set forth the requirements for, and duration of, medical certificates issued under 14 CFR part 67. A person may serve as a required pilot flight crewmember of a civil aircraft only if that person holds the appropriate unexpired medical certificate issued under 14 CFR part 67 (or other documentation acceptable to the FAA).<sup>1</sup> The duration of a medical certificate issued to a required pilot flight crewmember depends on the age of the applicant at the date of the examination, the type of operation, and class of certificate.<sup>2</sup> In addition, a person may serve as a flight engineer of a civil aircraft only if that person holds an unexpired second-class (or higher) medical certificate issued under 14 CFR part 67 (or other documentation acceptable to the FAA).<sup>3</sup> To receive a new medical certificate, a person must submit to a medical examination given by an aviation medical examiner.<sup>4</sup> Regardless of whatever day a medical certificate is issued, all medical certificates expire at the end of the last day of the month of expiration.<sup>5</sup>

On March 11, 2020, the World Health Organization (WHO) characterized COVID–19 as a pandemic, as the rates of infection continued to rise in many locations around the world and across the United States. On March 13, 2020, the President declared that the COVID–19 outbreak in the United States constitutes a national emergency. COVID–19 cases have been reported in all 50 States as well as the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands.

The President’s March 13, 2020, declaration observed that the spread of COVID–19 within our Nation’s communities threatens to strain our Nation’s healthcare systems. Widespread transmission of COVID–19 could translate into large numbers of people needing medical care at the same time. The Centers for Disease Control and Prevention (CDC) advises that healthcare facilities and clinicians should prioritize urgent and emergency visits and procedures now and for the

<sup>1</sup> See 14 CFR 61.2(a)(5), 61.3(c)(1).

<sup>2</sup> See 14 CFR 61.23.

<sup>3</sup> See 14 CFR 63.3(b).

<sup>4</sup> See 14 CFR 67.3, 67.4, 67.405.

<sup>5</sup> See 14 CFR 61.23(d).

coming several weeks. The CDC's advice includes rescheduling elective and non-urgent admissions, and postponing routine dental and eye care visits. Additionally, the President and the White House Coronavirus Task Force have announced a program called "15 Days to Slow the Spread," a nationwide effort to slow the spread of COVID-19 in the United States through the implementation of social distancing at all levels of society.

#### Statement of Policy

It is not in the public interest at this time to maintain the requirement of an FAA medical examination, which is a nonemergency medical service, in order for pilots and flight engineers with expiring medical certificates to obtain new medical certificates. This is because of the burden that COVID-19 places on the U.S. healthcare system, and because these aviation medical examinations increase the risk of transmission of the virus through personal contact between the physician and the applicant for an airman medical certificate.

Accordingly, as an exercise of the FAA's enforcement discretion, through June 30, 2020, the FAA will not take legal enforcement action against any person serving as a required pilot flight crewmember or flight engineer based on noncompliance with medical certificate duration standards when expiration of the medical certificate occurs from March 31, 2020, through June 30, 2020. This discretionary accommodation does not apply to pilots or flight engineers who lacked an unexpired medical certificate as of March 31, 2020. Also, regardless of the date of expiration of a medical certificate, this accommodation does not commit to non-enforcement for noncompliance with medical certificate duration standards that occurs after June 30, 2020. This policy applies only to holders of an FAA-issued medical certificate serving as a required pilot flight crewmember or flight engineer within the United States. It does not apply to holders of an FAA-issued medical certificate serving as a required pilot flight crewmember or flight engineer outside the United States.

The FAA has determined that those persons subject to this temporary measure may operate beyond the validity period of their medical certificate during the effective period of this accommodation without creating a risk to aviation safety that is unacceptable under the extraordinary circumstances surrounding the COVID-19 pandemic. The FAA will reevaluate this decision as circumstances unfold, to determine whether an extension or

other action is needed to address this pandemic-related challenge.

The relief provided in this notification does not extend to the requirements of 14 CFR 61.53 and 63.19 regarding prohibition on operations during medical deficiency. These prohibitions remain critical for all pilots and flight engineers to observe, especially given the policy of emergency accommodation announced here and the health threat of COVID-19. Accordingly, the FAA emphasizes that under 14 CFR 61.53, no person who holds a medical certificate issued under 14 CFR part 67 may act as a required pilot flight crewmember while that person: (1) Knows or has reason to know of any medical condition that would make the person unable to meet the requirements for the medical certificate necessary for the pilot operation; or (2) is taking medication or receiving other treatment for a medical condition that results in the person being unable to meet the requirements for the medical certificate necessary for the pilot operation. Additionally, under 14 CFR 63.19, no person may serve as a flight engineer during a period of known physical deficiency, or increase in physical deficiency, that would make the flight engineer unable to meet the physical requirements for an unexpired medical certificate.

All required pilot flight crewmembers and flight engineers are to comply with all other applicable obligations under the FAA's regulations and other applicable laws. This notification creates no individual rights of action and establishes no precedent for future determinations.

Issued in Washington, DC, on March 26, 2020.

**Naomi Tsuda,**

*Assistant Chief Counsel for Enforcement,  
Federal Aviation Administration.*

[FR Doc. 2020-06784 Filed 3-30-20; 8:45 am]

**BILLING CODE 4410-09-P**

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## CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC-2015-0029]

### 16 CFR Part 1232

#### Revisions to Safety Standard for Children's Folding Chairs and Stools

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Direct final rule.

**SUMMARY:** In December 2017, the U.S. Consumer Product Safety Commission (CPSC) issued a consumer product

safety standard for children's folding chairs and stools. The standard incorporated by reference the applicable ASTM voluntary standard. We are publishing this direct final rule revising the CPSC's mandatory standard for children's folding chairs and stools to incorporate by reference the most recent version of the applicable ASTM standard.

**DATES:** This direct final rule is effective on July 6, 2020, unless we receive significant adverse comment by May 1, 2020. If we receive timely significant adverse comments, we will publish a document in the **Federal Register**, withdrawing this direct final rule before its effective date. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of July 6, 2020.

**ADDRESSES:** You may submit comments, identified by Docket No. CPSC-2015-0029, by any of the following methods:

*Electronic Submissions:* Submit electronic comments to the Federal eRulemaking Portal at: <https://www.regulations.gov>. Follow the instructions for submitting comments. The CPSC does not accept comments submitted by electronic mail (email), except through <https://www.regulations.gov>. The CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

*Mail/hand delivery/courier Submissions:* Submit comments by mail/hand delivery/courier to: Division of the Secretariat, Consumer Product Safety Commission, Room 820, 4330 East-West Highway, Bethesda, MD 20814; telephone (301) 504-7479.

*Instructions:* All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: <https://www.regulations.gov>. Do not submit electronically confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If you wish to submit such information please submit it according to the instructions for written submissions.

*Docket:* For access to the docket to read background documents or comments received, go to: <https://www.regulations.gov>, and insert the docket number, CPSC-2015-0029, into the "Search" box, and follow the prompts.

**FOR FURTHER INFORMATION CONTACT:** Keysha Walker, Compliance Officer,