

108TH CONGRESS
1ST SESSION

H. R. 1084

To provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2003

Mr. SCHROCK (for himself, Mr. ISAKSON, Mr. GOODE, Mr. KIRK, Mr. TAYLOR of Mississippi, and Mr. FORBES) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Volunteer Pilot Orga-
5 nization Protection Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Scores of public benefit nonprofit volunteer
2 pilot organizations provide valuable services to com-
3 munities and individuals.

4 (2) In calendar year 2001, nonprofit volunteer
5 pilot organizations provided long-distance, no-cost
6 transportation for over 30,000 people in times of
7 special need.

8 (3) Such organizations are no longer able to
9 reasonably purchase non-owned aircraft liability in-
10 surance to provide liability protection, and thus face
11 a highly detrimental liability risk.

12 (4) Such organizations have supported the in-
13 terests of homeland security by providing volunteer
14 pilot services at times of national emergency.

15 (b) PURPOSE.—The purpose of this Act is to promote
16 the activities of nonprofit volunteer pilot organizations fly-
17 ing for public benefit and to sustain the availability of the
18 services that such organizations provide, including trans-
19 portation at no cost to financially needy medical patients
20 for medical treatment, evaluation, and diagnosis, as well
21 as other flights of compassion and flights for humani-
22 tarian and charitable purposes.

1 **SEC. 3. LIABILITY PROTECTION FOR NONPROFIT VOLUN-**
2 **TEER PILOT ORGANIZATIONS FLYING FOR**
3 **PUBLIC BENEFIT AND TO PILOTS AND STAFF**
4 **OF SUCH ORGANIZATIONS.**

5 Section 4 of the Volunteer Protection Act of 1997
6 (42 U.S.C. 14503) is amended—

7 (1) in subsection (a)(4)—

8 (A) by redesignating subparagraphs (A)
9 and (B) as (i) and (ii), respectively;

10 (B) by inserting “(A)” after “(4)”;

11 (C) by striking the period at the end and
12 inserting “; or” and

13 (D) by adding at the end the following:

14 “(B) the harm was caused by a volunteer of a non-
15 profit volunteer pilot organization that flies for pub-
16 lic benefit, while the volunteer was flying in further-
17 ance of the purpose of the organization and was op-
18 erating an aircraft for which the volunteer was prop-
19 erly licensed and individually insured.”; and

20 (2) in subsection (c)—

21 (A) by inserting “(1)” before “Nothing”;
22 and

23 (B) by adding at the end the following new
24 paragraph:

25 “(2) Notwithstanding paragraph (1), a nonprofit vol-
26 unteer pilot organization that flies for public benefit, and

1 the staff, mission coordinators, officers, and directors
2 (whether volunteer or otherwise) of such organization or
3 a referring agency of such organization, shall not be liable
4 with respect to harm caused to any person by a volunteer
5 of such organization, while the volunteer is flying in fur-
6 therance of the purpose of the organization and is oper-
7 ating an aircraft for which the volunteer is properly li-
8 censed and has certified to such organization that such
9 volunteer has in force individual insurance for operating
10 such aircraft.”.

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