

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1199

To increase the safety of the crew and passengers in air ambulances.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2009

Ms. CANTWELL introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To increase the safety of the crew and passengers in air ambulances.

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 “Air Medical Service  
5 Safety Improvement Act of 2009”.

6 **SEC. 2. INCREASING SAFETY FOR HELICOPTER AND FIXED-**  
7 **WING EMERGENCY MEDICAL SERVICE OPER-**  
8 **ATORS AND PATIENTS.**

9        (a) COMPLIANCE REGULATIONS.—

10            (1) IN GENERAL.—Except as provided in para-  
11 graph (2), not later than 18 months after the date  
12 of enactment of this Act, helicopter and fixed-wing

1 aircraft certificate holders providing emergency med-  
2 ical services shall comply with part 135 of title 14,  
3 Code of Federal Regulations, if there is a medical  
4 crew on board, without regard to whether there are  
5 patients on board.

6 (2) EXCEPTION.—If a certificate holder de-  
7 scribed in paragraph (1) is operating under instru-  
8 ment flight rules or is carrying out training there-  
9 for—

10 (A) the weather minimums and duty and  
11 rest time regulations under such part 135 of  
12 such title shall apply; and

13 (B) the weather reporting requirement at  
14 the destination shall not apply until such time  
15 as the Administrator of the Federal Aviation  
16 Administration determines that portable, reli-  
17 able, and accurate ground-based weather meas-  
18 uring and reporting systems are available.

19 (b) IMPLEMENTATION OF FLIGHT RISK EVALUATION  
20 PROGRAM.—

21 (1) INITIATION.—Not later than 60 days after  
22 the date of enactment of this Act, the Administrator  
23 of the Federal Aviation Administration shall initiate  
24 a rulemaking—

1 (A) to create a standardized checklist of  
2 risk evaluation factors based on Notice  
3 8000.301, which was issued by the Administra-  
4 tion on August 1, 2005; and

5 (B) to require helicopter and fixed-wing  
6 aircraft emergency medical service operators to  
7 use the checklist created under subparagraph  
8 (A) to determine whether a mission should be  
9 accepted.

10 (2) COMPLETION.—The rulemaking initiated  
11 under paragraph (1) shall be completed not later  
12 than 18 months after its initiation.

13 (c) COMPREHENSIVE CONSISTENT FLIGHT DIS-  
14 PATCH PROCEDURES.—

15 (1) INITIATION.—Not later than 60 days after  
16 the date of enactment of this Act, the Administrator  
17 of the Federal Aviation Administration shall initiate  
18 a rulemaking—

19 (A) to require that helicopter and fixed-  
20 wing emergency medical service operators for-  
21 malize and implement performance-based flight  
22 dispatch and flight following procedures; and

23 (B) to develop a method to assess and en-  
24 sure that such operators comply with the re-  
25 quirements described in subparagraph (A).

1           (2) COMPLETION.—The rulemaking initiated  
2           under paragraph (1) shall be completed not later  
3           than 18 months after its initiation.

4           (d) IMPROVING SITUATIONAL AWARENESS.—Not  
5           later than one year after the date of enactment of this  
6           Act, any helicopter or fixed-wing aircraft used for emer-  
7           gency medical service shall have on board a device that  
8           performs the function of a terrain awareness and warning  
9           system and a means of displaying that information that  
10          meets the requirements of the applicable Federal Aviation  
11          Administration Technical Standard Order or other guid-  
12          ance prescribed by the Administrator.

13          (e) IMPROVING THE DATA AVAILABLE ON AIR MED-  
14          ICAL OPERATIONS.—

15               (1) IN GENERAL.—The Administrator of the  
16               Federal Aviation Administration shall require each  
17               certificate holder for helicopters and fixed-wing air-  
18               craft used for emergency medical service operations  
19               to report not later than 1 year after the date of en-  
20               actment of this Act and annually thereafter on—

21                       (A) the number of aircraft and helicopters  
22                       used to provide air ambulance services, the reg-  
23                       istration number of each of these aircraft or  
24                       helicopters, and the base location of each of  
25                       these aircraft or helicopters;

1 (B) the number of flights and hours flown  
2 by each such aircraft or helicopter used by the  
3 certificate holder to provide such services dur-  
4 ing the reporting period; and

5 (C) the number of flights and the purpose  
6 of each flight for each aircraft or helicopter  
7 used by the certificate holder to provide such  
8 services during the reporting period.

9 (2) REPORT TO CONGRESS.—The Adminis-  
10 trator of the Federal Aviation Administration shall  
11 report to Congress on the information received pur-  
12 suant to paragraph (1) of this subsection no later  
13 than 18 months after the date of enactment of this  
14 Act.

15 (f) IMPROVING THE DATA AVAILABLE TO NTSB IN-  
16 VESTIGATORS AT CRASH SITES.—

17 (1) STUDY.—Not later than 120 days after the  
18 date of enactment of this Act, the Administrator of  
19 the Federal Aviation Administration shall issue a re-  
20 port that indicates the availability, survivability, size,  
21 weight, and cost of devices that perform the function  
22 of recording voice communications and flight data  
23 information on existing and new helicopters and ex-  
24 isting and new fixed-wing aircraft used for emer-  
25 gency medical service operations.

1           (2) RULEMAKING.—Not later than 1 year after  
2           the date of enactment of this Act, the Administrator  
3           of the Federal Aviation Administration shall issue  
4           regulations that require devices that perform the  
5           function of recording voice communications and  
6           flight data information on board aircraft described  
7           in paragraph (1).

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