

113TH CONGRESS
1ST SESSION

S. 1072

To ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2013

Ms. KLOBUCHAR (for herself, Ms. MURKOWSKI, Mr. MORAN, Mr. ROBERTS, Mr. JOHANNES, Mr. BEGICH, Mr. RISCH, Mr. UDALL of New Mexico, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, and for other purposes.

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 “Small Airplane Revital-
5 ization Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) A healthy small aircraft industry is integral
2 to economic growth and to maintaining an effective
3 transportation infrastructure for communities and
4 countries around the world.

5 (2) Small airplanes comprise nearly 90 percent
6 of general aviation aircraft certified by the Federal
7 Aviation Administration.

8 (3) General aviation provides for the cultivation
9 of a workforce of engineers, manufacturing and
10 maintenance professionals, and pilots who secure the
11 economic success and defense of the United States.

12 (4) General aviation contributes to well-paying
13 jobs in the manufacturing and technology sectors in
14 the United States and products produced by those
15 sectors are exported in great numbers.

16 (5) Technology developed and proven in general
17 aviation aids in the success and safety of all sectors
18 of aviation and scientific competence.

19 (6) The average small airplane in the United
20 States is now 40 years old and the regulatory bar-
21 riers to bringing new designs to the market are re-
22 sulting in a lack of innovation and investment in
23 small airplane design.

1 (7) Since 2003, the United States lost 10,000
2 active private pilots per year on average, partially
3 due to a lack of cost-effective, new small airplanes.

4 (8) General aviation safety can be improved by
5 modernizing and revamping the regulations relating
6 to small airplanes to clear the path for technology
7 adoption and cost-effective means to retrofit the ex-
8 isting fleet with new safety technologies.

9 **SEC. 3. SAFETY AND REGULATORY IMPROVEMENTS FOR**
10 **GENERAL AVIATION.**

11 (a) IN GENERAL.—Not later than December 15,
12 2015, the Administrator of the Federal Aviation Adminis-
13 tration shall issue a final rule—

14 (1) to advance the safety and continued devel-
15 opment of small airplanes by reorganizing the cer-
16 tification requirements for such airplanes under part
17 23 to streamline the approval of safety advance-
18 ments; and

19 (2) that meets the objectives described in sub-
20 section (b).

21 (b) OBJECTIVES DESCRIBED.—The objectives de-
22 scribed in this subsection are the following objectives of
23 the Part 23 Reorganization Aviation Rulemaking Com-
24 mittee:

1 (1) The establishment of a regulatory regime
2 for small airplanes that will improve safety and de-
3 crease certification costs.

4 (2) The establishment of broad, outcome-driven
5 safety objectives that will spur innovation and tech-
6 nology adoption.

7 (3) The replacement of current, prescriptive re-
8 quirements under part 23 with performance-based
9 regulations.

10 (4) The use of consensus standards accepted by
11 the Federal Aviation Administration to clarify how
12 the safety objectives of part 23 may be met using
13 specific designs and technologies.

14 (c) CONSENSUS-BASED STANDARDS.—In prescribing
15 regulations under this section, the Administrator shall use
16 consensus standards, as described in section 12(d) of the
17 National Technology Transfer and Advancement Act of
18 1996 (15 U.S.C. 272 note), to the extent practicable while
19 continuing to evaluate traditional methods for meeting the
20 objectives of part 23.

21 (d) SAFETY COOPERATION.—The Administrator shall
22 lead the effort to improve general aviation safety by work-
23 ing with leading aviation regulators to assist them in
24 adopting a complementary regulatory approach for small
25 airplanes.

1 (e) DEFINITIONS.—In this section:

2 (1) CONSENSUS STANDARDS.—

3 (A) IN GENERAL.—The term “consensus
4 standards” means standards developed by an
5 organization described in subparagraph (B)
6 that may include provisions requiring that own-
7 ers of relevant intellectual property have agreed
8 to make that intellectual property available on
9 a nondiscriminatory, royalty-free, or reasonable
10 royalty basis to all interested persons.

11 (B) ORGANIZATIONS DESCRIBED.—An or-
12 ganization described in this subparagraph is a
13 domestic or international organization that—

14 (i) plans, develops, establishes, or co-
15 ordinates, through a process based on con-
16 sensus and using agreed-upon procedures,
17 voluntary standards; and

18 (ii) operates in a transparent manner,
19 considers a balanced set of interests with
20 respect to such standards, and provides for
21 due process and an appeals process with
22 respect to such standards.

23 (2) GENERAL AVIATION.—The term “general
24 aviation” means all aviation activities other than

1 scheduled commercial air carrier operations and
2 military aviation.

3 (3) PART 23.—The term “part 23” means part
4 23 of title 14, Code of Federal Regulations.

5 (4) PART 23 REORGANIZATION AVIATION RULE-
6 MAKING COMMITTEE.—The term “Part 23 Reorga-
7 nization Aviation Rulemaking Committee” means
8 the aviation rulemaking committee established by
9 the Federal Aviation Administration in August 2011
10 to consider the reorganization of the regulations
11 under part 23.

12 (5) SMALL AIRPLANE.—The term “small air-
13 plane” means an airplane to which part 23 applies.

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