

114TH CONGRESS
2D SESSION

S. 3260

To provide liability protection for volunteer pilots who fly for the public benefit, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2016

Mr. INHOFE (for himself, Mr. KING, Mr. HATCH, and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide liability protection for volunteer pilots who fly for the public benefit, 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 “Volunteer Pilot Protec-
5 tion Act of 2016”.

6 **SEC. 2. LIABILITY PROTECTION FOR VOLUNTEER PILOTS**

7 **WHO FLY FOR THE PUBLIC BENEFIT.**

8 (a) FINDINGS AND PURPOSES.—

9 (1) FINDINGS.—Congress finds the following:

1 (A) Many volunteer pilots fly for the public
2 benefit for nonprofit organizations and provide
3 valuable services to communities and individuals
4 in need.

5 (B) In each calendar year volunteer pilots
6 and the nonprofit organizations those pilots fly
7 for provide long-distance, no-cost transportation
8 for tens of thousands of people during times of
9 special need. Flights provide patient and med-
10 ical transport, disaster relief, and humanitarian
11 assistance, and conduct other charitable mis-
12 sions that benefit the public.

13 (C) Such nonprofit organizations have sup-
14 ported the homeland security of the United
15 States by providing volunteer pilot services dur-
16 ing and following disasters and during other
17 times of national emergency.

18 (D) Most other kinds of volunteers are
19 protected from liability by the Volunteer Protec-
20 tion Act of 1997 (42 U.S.C. 14501 et seq.), but
21 volunteer pilots are not.

22 (2) PURPOSES.—The purposes of this section
23 are, by amending the Volunteer Protection Act of
24 1997—

1 (A) to extend the protection of that Act to
2 volunteer pilots;

3 (B) to promote the activities of volunteer
4 pilots and the nonprofit organizations those pi-
5 lots fly for in providing flights for the public
6 benefit; and

7 (C) to sustain and enhance the availability
8 of the services that such pilots and nonprofit
9 organizations provide, including—

10 (i) transportation at no cost to finan-
11 cially needy medical patients for medical
12 treatment, evaluation, and diagnosis;

13 (ii) flights for humanitarian and char-
14 itable purposes; and

15 (iii) other flights of compassion.

16 (b) LIABILITY PROTECTION FOR PILOTS THAT FLY
17 FOR PUBLIC BENEFIT.—Section 4 of the Volunteer Pro-
18 tection Act of 1997 (42 U.S.C. 14503) is amended—

19 (1) by redesignating subsections (b) through (f)
20 as subsections (c) through (g), respectively;

21 (2) in subsection (a), by striking “subsections
22 (b) and (d)” and inserting “subsections (b), (c), and
23 (e)”; and

24 (3) by inserting after subsection (a) the fol-
25 lowing:

1 “(b) LIABILITY PROTECTION FOR PILOTS THAT FLY
2 FOR PUBLIC BENEFIT.—Except as provided in sub-
3 sections (c) and (e), no volunteer of a volunteer pilot non-
4 profit organization that arranges flights for public benefit
5 shall be liable for harm caused by an act or omission of
6 the volunteer on behalf of the organization if, at the time
7 of the act or omission, the volunteer—

8 “(1) was operating an aircraft in furtherance of
9 the purpose of, and acting within the scope of the
10 volunteer’s responsibilities on behalf of, the non-
11 profit organization;

12 “(2) was properly licensed and insured for the
13 operation of the aircraft;

14 “(3) was in compliance with all requirements of
15 the Federal Aviation Administration for recent flight
16 experience; and

17 “(4) did not cause the harm through willful or
18 criminal misconduct, gross negligence, reckless mis-
19 conduct, or a conscious, flagrant indifference to the
20 rights or safety of the individual harmed by the vol-
21 unteer.”.

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