

116TH CONGRESS  
2D SESSION

# S. 3946

To require certain helicopters to be equipped with safety technologies, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 11, 2020

Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. MARKEY, and Ms. HARRIS) 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 require certain helicopters to be equipped with safety technologies, 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 “Helicopter Safety Act  
5 of 2020”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) The January 26, 2020, helicopter crash  
2 near Calabasas, California, in which 9 individuals  
3 lost their lives, was a tragic event.

4           (2) Officials from the National Transportation  
5 Safety Board (NTSB) have noted that the helicopter  
6 involved in the fatal January crash was not equipped  
7 with a Flight Data Recorder (FDR), a Cockpit  
8 Voice Recorder (CVR), or a Terrain Awareness and  
9 Warning System (TAWS).

10          (3) The NTSB has investigated numerous trag-  
11 ic helicopter accidents, including the crash of a heli-  
12 copter in the Gulf of Mexico in 2004, in which 10  
13 individuals lost their lives, and a crash in Missouri  
14 in 2011, in which 4 individuals lost their lives.

15          (4) The NTSB has provided recommendations  
16 to the FAA regarding equipping helicopters with  
17 crash-resistant Flight Data Recorders, Cockpit Voice  
18 Recorders, and Terrain Awareness and Warning  
19 Systems.

20          (5) The FAA has not acted on several NTSB  
21 recommendations for increased helicopter safety  
22 technologies that could potentially avert future trag-  
23 edies.

1 **SEC. 3. IMPLEMENTATION OF NTSB RECOMMENDATIONS.**

2 (a) IN GENERAL.—Subject to subsections (b) and (c),  
3 not later than 180 days after the date of enactment of  
4 this Act, the Administrator shall issue such regulations  
5 as are necessary to implement the following NTSB rec-  
6 ommendations for crash-resistant systems, but only with  
7 respect to existing and new U.S.-registered turbine-pow-  
8 ered rotorcraft certificated for six or more passenger seats:

9 (1) Safety Recommendation A–06–017, issued  
10 on March 7, 2006 (relating to requiring all rotor-  
11 craft operating under parts 91 and 135 of title 14,  
12 Code of Federal Regulations, with a transport-cat-  
13 egory certification to be equipped with a cockpit  
14 voice recorder (CVR) and a flight data recorder  
15 (FDR) or an onboard cockpit image recorder with  
16 the capability of recording cockpit audio, crew com-  
17 munications, and aircraft parametric data).

18 (2) Safety Recommendation A–06–018, issued  
19 on March 7, 2006 (relating to not permitting exemp-  
20 tions or exceptions to the flight recorder regulations  
21 that allow transport-category rotorcraft to operate  
22 without flight recorders, and withdrawing exemp-  
23 tions and exceptions that allow transport-category  
24 rotorcraft to operate without flight recorders).

25 (3) Safety Recommendation A–06–019 issued  
26 on March 24, 2006 (relating to requiring all existing

1 and new U.S.-registered turbine-powered rotorcraft  
2 certificated for six or more passenger seats to be  
3 equipped with a terrain awareness and warning sys-  
4 tem).

5 (b) TIMING FOR EQUIPMENT COMPLIANCE.—The  
6 regulations required to be issued under subsection (a)  
7 shall require all U.S.-registered turbine-powered rotorcraft  
8 certificated for six or more passenger seats to be equipped  
9 with a Flight Data Recorder, a Cockpit Voice Recorder,  
10 and a Terrain Awareness and Warning System that each  
11 meet the respective requirements applicable under such  
12 regulations, not later than—

13 (1) 1 year after the date on which the applica-  
14 ble regulation is issued; or

15 (2) 2 years after the date on which the applica-  
16 ble regulation is issued, if the Administrator deter-  
17 mines appropriate.

18 (c) EXEMPTIONS.—

19 (1) IN GENERAL.—In issuing the regulations  
20 required under subsection (a), the Administrator  
21 may exempt any civilian helicopter that the Adminis-  
22 trator determines appropriate from one or more of  
23 the equipment requirements of such regulations.

24 (2) REQUIREMENTS.—If the Administrator  
25 issues a final regulation that contains an exemption

1 described in paragraph (1), the Administrator shall  
2 submit to the Committee on Transportation and In-  
3 frastructure of the House of Representatives the  
4 Committee on Appropriations of the House of Rep-  
5 resentatives, the Committee on Commerce, Science,  
6 and Transportation of the Senate, and the Com-  
7 mittee on Appropriations of the Senate a report de-  
8 scribing the exemption, not later than the date on  
9 which the final regulation is issued.

10 **SEC. 4. DEFINITIONS.**

11 In this Act:

12 (1) ADMINISTRATOR.—The term “Adminis-  
13 trator” means the Administrator of the FAA.

14 (2) FAA.—The term “FAA” means the Fed-  
15 eral Aviation Administration.

16 (3) NTSB.—The term “NTSB” means the Na-  
17 tional Transportation Safety Board.

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