

Union Calendar No. 109

113TH CONGRESS
1ST SESSION

H. R. 1848

[Report No. 113–151]

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 HOUSE OF REPRESENTATIVES

MAY 7, 2013

Mr. POMPEO (for himself, Mr. LIPINSKI, Mr. GRAVES of Missouri, Mr. NOLAN, and Mr. ROKITA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

JULY 16, 2013

Additional sponsors: Mr. HANNA, Mr. YOUNG of Alaska, Mr. WESTMORELAND, Mr. PETRI, Mr. BARROW of Georgia, Ms. JENKINS, Mr. RODNEY DAVIS of Illinois, Mr. HUELSKAMP, Mr. CRAMER, Mr. RADEL, Mr. MEEHAN, Mr. DUNCAN of Tennessee, Mr. MARCHANT, Mr. JOHNSON of Ohio, Mr. MASSIE, Mr. MEADOWS, Mr. RIBBLE, Mr. CARSON of Indiana, Mr. CAMPBELL, Mr. GRIFFIN of Arkansas, Mr. OWENS, Mr. BUCSHON, Mr. COBLE, Mr. COLLINS of New York, Mr. WEBSTER of Florida, Mr. SCHOCK, and Mrs. BUSTOS

JULY 16, 2013

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on May 7, 2013]

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 finds the following:*

8 (1) *A healthy small aircraft industry is integral*
9 *to economic growth and to maintaining an effective*
10 *transportation infrastructure for communities and*
11 *nations around the world.*

12 (2) *Small aircraft comprise nearly 90 percent of*
13 *FAA type certified general aviation aircraft.*

14 (3) *General aviation provides for the cultivation*
15 *of a workforce of engineers, manufacturing and main-*
16 *tenance professionals, and pilots, who secure the Na-*
17 *tion’s economic success and defense.*

18 (4) *General aviation contributes to well-paying*
19 *manufacturing and technology jobs in the United*
20 *States, and these products are exported in great num-*
21 *bers, providing a positive trade balance.*

22 (5) *Technology developed and proven in general*
23 *aviation aids in the success and safety of all sectors*
24 *of aviation and scientific competence.*

1 (6) *The average small airplane in the United*
2 *States is now 40 years old and the regulatory barriers*
3 *to bringing new designs to market are resulting in a*
4 *lack of innovation and investment in small airplane*
5 *design.*

6 (7) *Over the past decade, the United States has*
7 *typically lost 10,000 active private pilots per year,*
8 *partially due to a lack of cost-effective, new small air-*
9 *planes.*

10 (8) *General aviation safety can be improved by*
11 *modernizing and revamping the regulations for this*
12 *sector to clear the path for technology adoption and*
13 *cost-effective means to retrofit the existing fleet with*
14 *new safety technologies.*

15 **SEC. 3. FAA SAFETY AND REGULATORY IMPROVEMENTS**
16 **FOR GENERAL AVIATION.**

17 (a) *ESTABLISHMENT OF FAA SAFETY AND REGU-*
18 *LATORY IMPROVEMENTS FOR GENERAL AVIATION.—The*
19 *Administrator shall advance the safety and continued devel-*
20 *opment of small airplanes by reorganizing the certification*
21 *requirements applicable to small airplanes to streamline the*
22 *approval of safety advancements.*

23 (b) *REGULATIONS.—The Administrator shall issue a*
24 *final rule based on the FAA’s Part 23 Reorganization Avia-*
25 *tion Rulemaking Committee (established in August 2011)*

1 by December 31, 2015. The final rule shall meet the fol-
2 lowing objectives of the Part 23 Committee:

3 (1) Create a regulatory regime for small air-
4 planes that will improve safety and decrease certifi-
5 cation costs.

6 (2) Set broad, outcome-driven safety objectives
7 that will spur innovation and technology adoption.

8 (3) Replace current, prescriptive requirements
9 contained in FAA rules with performance-based regu-
10 lations.

11 (4) Use FAA-accepted consensus standards to
12 clarify how the part 23 safety objectives may be met
13 by specific designs and technologies.

14 (c) **CONSENSUS-BASED STANDARDS.**—The Adminis-
15 trator shall use acceptable consensus-based standards when-
16 ever possible in the spirit of the National Technology Trans-
17 fer and Advancement Act of 1996 (15 U.S.C. 3701 note),
18 while continuing traditional methods for meeting part 23.

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

24 **SEC. 4. DEFINITIONS.**

25 *In this Act, the following definitions apply:*

1 (1) *ADMINISTRATOR.*—*The term “Adminis-*
2 *trator” means the Administrator of the Federal Avia-*
3 *tion Administration.*

4 (2) *CONSENSUS STANDARDS.*—*The term “con-*
5 *sensus standards” means standards developed by vol-*
6 *untary organizations which plan, develop, establish,*
7 *or coordinate voluntary standards using agreed-upon*
8 *procedures, both domestic and international. These*
9 *standards include provisions requiring that owners of*
10 *relevant intellectual property agree to make that in-*
11 *tellectual property available on a nondiscriminatory,*
12 *royalty-free or reasonable-royalty basis to all inter-*
13 *ested parties. These bodies have the attributes of open-*
14 *ness, balance of interest, due process, an appeals proc-*
15 *ess, and consensus.*

16 (3) *FAA.*—*The term “FAA” means the Federal*
17 *Aviation Administration.*

18 (4) *GENERAL AVIATION.*—*The term “general*
19 *aviation” means all aviation activities other than*
20 *scheduled commercial airline operations and military*
21 *aviation.*

22 (5) *PART 23.*—*The term “part 23” means part*
23 *23 of title 14, Code of Federal Regulations.*

24 (6) *SMALL AIRPLANE.*—*The term “small air-*
25 *plane” means FAA type certificated airplanes that*

- 1 *meet the parameters of part 23 of title 14, Code of*
- 2 *Federal Regulations.*

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