

Calendar No. 329

103D CONGRESS
1ST SESSION

S. 1458

[Report No. 103-202]

A BILL

To amend the Federal Aviation Act of 1958 to establish time limitations on certain civil actions against aircraft manufacturers, and for other purposes.

NOVEMBER 20 (legislative day, NOVEMBER 2), 1993
Reported, without amendment

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14 (legislative day, SEPTEMBER 7), 1993.

Mrs. KASSEBAUM (for herself, Mr. BENNETT, Mr. BOND, Mr. BROWN, Mr. BURNS, Mr. COATS, Mr. DANFORTH, Mr. DOLE, Mr. EXON, Mr. GLENN, Mr. GORTON, Mr. GRASSLEY, Mr. GREGG, Mr. HATCH, Mrs. HUTCHISON, Mr. JEFFORDS, Mr. KERREY, Mr. KERRY, Mr. LOTT, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Mr. MURKOWSKI, Mr. PRESSLER, Mr. ROCKEFELLER, Mr. SIMPSON, Mr. SMITH, Mr. THURMOND, Mr. WARNER, Mr. BOREN, Mr. PELL, Mr. CHAFEE, Mr. MATHEWS, Mr. INOUE, Mr. NICKLES, Mr. WALLOP, Mr. FAIRCLOTH, Mr. D'AMATO, and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

NOVEMBER 20 (legislative day, NOVEMBER 2), 1993

Reported by Mr. HOLLINGS, without amendment

A BILL

To amend the Federal Aviation Act of 1958 to establish time limitations on certain civil actions against aircraft manufacturers, 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 “General Aviation Revi-
5 talization Act of 1993”.

6 **SEC. 2. TIME LIMITATION ON CIVIL ACTIONS AGAINST AIR-**
7 **CRAFT MANUFACTURERS.**

8 Title XI of the Federal Aviation Act of 1958 (49
9 U.S.C. App. 1510–1518) is amended by adding at the end
10 the following new section:

11 **“SEC. 1119. TIME LIMITATION ON CIVIL ACTIONS AGAINST**
12 **AIRCRAFT MANUFACTURERS.**

13 “(a) IN GENERAL.—No civil action for damages for
14 death or injury to persons or damage to property arising
15 out of an accident involving a general aviation aircraft
16 may be brought against the manufacturer of the aircraft
17 or the manufacturer of any component, system, subassem-
18 bly, or other part of the aircraft, if the accident oc-
19 curred—

20 “(1) more than 15 years after—

21 “(A) the date of delivery of the aircraft to
22 its first purchaser or lessee, if delivered directly
23 from the manufacturer; or

1 “(B) the date of first delivery of the air-
2 craft to a person engaged in the business of
3 selling or leasing such aircraft; or

4 “(2) with respect to any component, system,
5 subassembly, or other part which replaced another
6 product originally in, or which was added to, the air-
7 craft, and which is alleged to have caused the claim-
8 ant’s damages, more than 15 years after the date of
9 the replacement or addition.

10 “(b) GENERAL AVIATION AIRCRAFT DEFINED.—For
11 the purposes of this section, the term ‘general aviation air-
12 craft’ means any aircraft for which a type certificate or
13 an airworthiness certificate has been issued by the Admin-
14 istrator, which, at the time such certificate was originally
15 issued, had a maximum seating capacity of fewer than 20
16 passengers, and which was not, at the time of the accident,
17 engaged in scheduled passenger carrying operations as de-
18 fined under regulations issued under this Act.

19 “(c) RELATIONSHIP TO OTHER LAWS.—This section
20 supersedes any Federal or State law to the extent that
21 such law permits a civil action described in subsection (a)
22 to be brought after the applicable deadline for such civil
23 action established by subsection (a).”.

1 **SEC. 3. CONFORMING AMENDMENT.**

2 The table of contents contained in the first section
3 of the Federal Aviation Act of 1958 is amended by adding
4 at the end of the matter relating to title XI of such Act
5 the following:

“Sec. 1119. Time Limitation on Civil Actions Against Aircraft Manufacturers.

“ (a) In general.

“ (b) General aviation aircraft defined.

“ (c) Relationship to other laws.”.