110TH CONGRESS
2D SESSION

S. 2941

To improve airport runway safety, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2008

Mr. LAUTENBERG 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 improve airport runway safety, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Runway Safety Improvement Act of 2008''.

SEC. 2. STRATEGIC PLAN FOR RUNWAY SAFETY.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration (referred to in this Act as the ''Administrator'') shall develop and submit to Congress a report that contains a strategic runway safety plan.

(b) CONTENTS OF PLAN.—The strategic runway safety plan submitted under subsection (a) shall—

(1) include—

(A) goals to improve runway safety;

(B) a description of near- and longer-term actions designed to reduce the severity, number, and rate of runway incursions;

(C) time frames and resources needed for the actions described in subparagraph (B); and

(D) a plan to implement a continuous evaluative process to track performance toward the goals referred to in subparagraph (A); and

(2) address the increased runway safety risk associated with the expected increases in the volume of air traffic.

(c) AUDIT OF STRATEGIC RUNWAY SAFETY PLAN.—The Comptroller General of the United States shall—

(1) conduct an audit of the plan developed under subsection (a); and

(2) submit periodic reports to the Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives that describe—

(A) the efficacy of the runway safety plan in reducing runway safety risks; and

(B) the progress of the Federal Aviation Administration in complying with the plan.

SEC. 3. TECHNOLOGY IMPROVEMENTS.

(a) PLAN AND SCHEDULE FOR INSTALLATION AND DEPLOYMENT OF SYSTEMS TO PROVIDE ALERTS OF POTENTIAL RUNWAY INCURSIONS.—

(1) DEPLOYMENT PLAN.—Not later than December 31, 2008, the Administrator shall submit to Congress a plan for the installation of and deployment schedule for systems to alert air traffic controllers and flight crews of potential runway incursions at—

(A) the 35 commercial airports in the United States that are most at risk of runway incursions; and

(B) general aviation airports identified by the Administrator as being most at risk of runway incursions.

(2) CONTENTS.—The plan submitted under paragraph (1) shall—

(A) ensure existing technology for improved situational awareness is available to pi-

lots of commercial and large general aviation aircraft;

(B) enhance the value of investments in surface movement detection systems by ensuring that runway incursion alert data collected by such systems are automatically and directly transmitted to flight crews; and

(C) ensure that airports most at risk of runway incursions receive priority for the installation of advanced surface movement detection systems.

(3) OBJECTIVES.—The installation and deployment schedule required under paragraph (1) shall ensure that—

(A) not later than March 31, 2009, the Administrator certifies an integrated aircraft and ground-based capability that transmits runway incursion alerts generated by advanced surface movement detection systems to pilots without controller intervention;

(B) not later than December 31, 2009, capability providing aural indication of own aircraft position relative to airport runways is installed on—

(i) all aircraft operated pursuant to part 121 or 135 of title 14, Code of Federal Regulations, with more than 10 seats; and

(ii) all turbine-powered aircraft operated pursuant to part 91 of such title 14, with more than 6 seats;

(C) not later than June 30, 2010, the Administrator provides the capability described in subparagraph (A) at all airports equipped with advanced surface movement detection systems;

(D) not later than December 31, 2010, all aircraft described in subparagraph (B) at airports equipped with advanced surface movement detection systems are equipped with the capability to receive, process, and present runway incursion alerts to pilots; and

(E) a schedule is published for the equipage of aircraft operated pursuant to part 125 or 129 of title 14, Code of Federal Regulations.

(b) REVIEW OF IMPLEMENTATION OF ADVANCED SURFACE MOVEMENT DETECTION SYSTEMS.—The Inspector General of the Department of Transportation shall—

(1) review the installation of each advanced surface movement detection system funded by the Administrator to ensure that each system functions in accordance with the product's certification by the Administrator; and

(2) submit an annual report to the Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives that describes the status of the proper implementation of each system, including a review of the system's—

(A) reliability to ensure it is not susceptible to failures to generate timely alerts for controllers to take appropriate action; and

(B) ability to successfully operates in all climate conditions in which aircraft operations are conducted at the airport.

SEC. 4. INFRASTRUCTURE UPGRADES.

(a) AUTHORIZATION OF APPROPRIATIONS FOR TECHNOLOGY INVESTMENTS.—There are authorized to be appropriated to the Administrator, from amounts deposited in the Airport and Airway Trust Fund established under section 9502(d) of the Internal Revenue Code of 1986, to install systems designed to reduce the potential for runway incursions through the purchase and installation of

advanced surface movement detection systems, and cockpit-direct audible runway incursion warning systems—

(1) $41,000,000 for fiscal year 2009;

(2) $42,250,000 for fiscal year 2010; and

(3) $45,000,000 for fiscal year 2011.

(b) AUTHORIZATION OF APPROPRIATIONS FOR NEAR-TERM IMPROVEMENTS.—There are authorized to be appropriated to the Administrator, from amounts deposited in the Airport and Airways Trust Fund established under section 9502(d) of the Internal Revenue Code of 1986, to reduce the potential for runway incursions through the purchase and installation of appropriate automatic equipment, including runway occupancy alerting and warning equipment, perimeter taxiways, and runway status lights—

(1) $40,000,000 for fiscal year 2009;

(2) $45,000,000 for fiscal year 2010; and

(3) $55,000,000 for fiscal year 2011.

(c) AUTHORIZATION OF APPROPRIATIONS FOR RUNWAY SAFETY AREA IMPROVEMENTS.—There are authorized to be appropriated to the Administrator, from amounts deposited in the Airport and Airway Trust Fund established under section 9502(d) of the Internal Revenue Code of 1986, to improve runway safety areas to meet Federal Aviation Administration standards—

(1) $20,000,000 for fiscal year 2009;

(2) $25,000,000 for fiscal year 2010; and

(3) $30,000,000 for fiscal year 2011.

(d) CODIFICATION OF RUNWAY SAFETY DESIGN STANDARD COMPLIANCE REQUIREMENT FROM PUBLIC LAW 109–115.—Section 44727 is amended by adding at the end the following:

''(c) RUNWAY SAFETY DESIGN STANDARD COMPLIANCE.—Not later than December 31, 2015, the owner or operator of each airport described in section 44706(a) shall improve the airport's runway safety areas to comply with the Federal Aviation Administration design standards required under part 139 of title 14, Code of Federal Regulations.''.

(e) ANNUAL REPORT ON RUNWAY SAFETY AREA COMPLIANCE.—The Administrator shall annually submit to the Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives a report that describes the progress of the Administration toward improving the runway safety areas at airports described in section 44706(a) of title 49, United States Code.

SEC. 5. REVIEW OF RUNWAY AND TAXIWAY LIGHTING AND MARKINGS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall—

(1) review the type of runway and taxiway lighting (both daytime and nighttime configurations) and markings at airports described in section 44706(a) of title 49, United States Code, for compliance with standards issued by the Federal Aviation Administration; and

(2) identify runways on which nonstandard lighting and markings, including variance in illumination levels and standard colors used on runways and taxiways, may contribute, or may have contributed, to operational errors or incidents.

(b) REPORT.—Not later than 60 days after the completion of the review under subsection (a), the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the variance in lighting conditions and markings at airport runways described in subsection (a);

(2) identifies those runways that are most likely to contribute to operational errors and incidents; and

(3) includes a plan for remedying variance in lighting conditions and markings at nonstandard runways, including associated costs.

SEC. 6. MONITORING AND RECORDING EQUIPMENT FOR NAVIGATION AND LIGHTING AIDS.

(a) IN GENERAL.—The Administrator, in consultation with the Chairman of the National Transportation Safety Board, shall evaluate the potential for improving safety and accident investigations through the use of systems, including existing technologies, that record and enable the archival of the operational status of lighting systems on the movement areas of, or that are critical to the safe operations at, airports described in section 44706(a) of title 49, United States Code.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the results of the evaluation required under subsection (a).

SEC. 7. AIRCRAFT RESCUE AND FIREFIGHTING STANDARDS.

(a) RULEMAKING PROCEEDING.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall initiate a rulemaking proceeding for the purpose of issuing a proposed and final rule that revises the aircraft rescue and firefighting standards under part 139 of title 14, Code of Federal Regulations, to improve the protection of the traveling public, other persons, aircraft, buildings, and the environment from fires and hazardous materials incidents.

(b) CONTENTS OF PROPOSED AND FINAL RULE.—The proposed and final rule to be issued under subsection (a) shall address—

(1) the mission of aircraft rescue and firefighting personnel, including responsibilities for passenger egress in the context of other Administration requirements;

(2) the proper level of staffing;

(3) the timeliness of a response;

(4) the handling of hazardous materials incidents at airports;

(5) proper vehicle deployment; and

(6) the need for equipment modernization.

(c) CONSISTENCY WITH VOLUNTARY CONSENSUS STANDARDS.—The proposed and final rule issued under

subsection (a) shall be, to the extent practical, consistent with national voluntary consensus standards for aircraft rescue and firefighting services at airports.

(d) ASSESSMENTS OF POTENTIAL IMPACTS.—In the rulemaking proceeding initiated under subsection (a), the Administrator shall assess the potential impact of any revisions to the firefighting standards on airports and air transportation service.

(e) INCONSISTENCY WITH STANDARDS.—If the proposed or final rule issued under subsection (a) is not consistent with national voluntary consensus standards for aircraft rescue and firefighting services at airports, the Administrator shall submit to the Office of Management and Budget an explanation of the reasons for such inconsistency in accordance with section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note; 110 Stat. 783).

(f) FINAL RULE.—Not later than 24 months after the date of the enactment of this Act, the Administrator shall issue the final rule required by subsection (a).

SEC. 8. IMPROVED DATA COLLECTION ON RUNWAY OVERRUNS.

The Administrator of the Federal Aviation Administration shall—

(1) collect data, using either existing sources of aircraft operational incidents or a new reporting process, regarding aircraft excursions that do not result in fatalities, injuries, or significant property damage;

(2) examine the data collected pursuant to paragraph (1) on an ongoing basis; and

(3) submit an annual report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(A) trends and potential safety risks identified by the data; and

(B) actions taken by airports and the Federal Aviation Administration to reduce those risks.

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