

110TH CONGRESS
2D SESSION

S. 3553

To exempt certain charitable flights from certain regulations applicable to commercial flights.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24 (legislative day, SEPTEMBER 17), 2008

Ms. MURKOWSKI (for herself and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To exempt certain charitable flights from certain regulations applicable to commercial flights.

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 Act”.

5 **SEC. 2. EXEMPTIONS FOR CERTAIN CHARITABLE FLIGHTS.**

6 (a) IN GENERAL.—Section 44701(f) of title 49,
7 United States Code, is amended—

8 (1) by striking “The Administrator” and insert-
9 ing the following:

10 “(1) IN GENERAL.—The Administrator”; and

1 (2) by adding at the end the following:

2 “(2) CHARITABLE FLIGHTS.—Notwithstanding
3 any other provision of law, a passenger or cargo car-
4 rying flight for the benefit of a nonprofit organiza-
5 tion recognized under Federal or State law that does
6 not involve any payment from the beneficiary of
7 such flight shall not be required to obtain an air car-
8 rier or commercial operator certificate under section
9 44705, shall not be required to obtain an air carrier
10 and commercial operator certificate under part 119
11 of title 14, Code of Federal Regulations, and shall
12 not be subject to drug and alcohol testing under sec-
13 tions 121.457 and 121.459 of such title 14, if—

14 “(A) the flight is conducted from an air-
15 port that is adequate for the airplane or heli-
16 copter used;

17 “(B) the airplane or helicopter has a max-
18 imum of 9 seats, excluding each crew member
19 seat, and a maximum payload capacity of 7,500
20 pounds;

21 “(C) the flight is not an aerobatic or a for-
22 mation flight;

23 “(D) the airplane or helicopter used for
24 the flight holds a standard airworthiness certifi-
25 cate, is airworthy, and is operated in compli-

1 ance with all applicable Federal Aviation Ad-
2 ministration airworthiness standards;

3 “(E) reimbursement of, or donations to,
4 the pilot in command of the airplane or heli-
5 copter does not exceed the total cost of owning,
6 operating, and maintaining the aircraft for that
7 flight, which may include fuel, oil, airport ex-
8 penditures, rental fees, insurance, and mainte-
9 nance;

10 “(F) a private pilot acting as pilot in com-
11 mand has at least 500 hours of flight time;

12 “(G) the flight is conducted in accordance
13 with applicable Federal Aviation Administration
14 safety regulations; and

15 “(H) the pilot in command maintains a
16 record with the Federal Aviation Administra-
17 tion that shows that the pilot is in compliance
18 with all applicable Federal Aviation Administra-
19 tion regulations.

20 “(3) CLASSIFICATION OF CHARITABLE
21 FLIGHTS.—Any flight meeting the requirements
22 under paragraph (2) shall not be considered to be a
23 flight for compensation or hire for purposes of the
24 Federal Aviation Administration.”.

1 (b) RULEMAKING.—The Administrator of the Fed-
2 eral Aviation Administration shall promulgate regulations
3 to carry out the amendment made by subsection (a).

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