

113TH CONGRESS  
1ST SESSION

# S. 1072

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.

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## IN THE SENATE OF THE UNITED STATES

MAY 23, 2013

Ms. KLOBUCHAR (for herself, Ms. MURKOWSKI, Mr. MORAN, Mr. ROBERTS, Mr. JOHANNES, Mr. BEGICH, Mr. RISCH, Mr. UDALL of New Mexico, and Mr. TESTER) 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 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 makes the following findings:

1           (1) A healthy small aircraft industry is integral  
2           to economic growth and to maintaining an effective  
3           transportation infrastructure for communities and  
4           countries around the world.

5           (2) Small airplanes comprise nearly 90 percent  
6           of general aviation aircraft certified by the Federal  
7           Aviation Administration.

8           (3) General aviation provides for the cultivation  
9           of a workforce of engineers, manufacturing and  
10          maintenance professionals, and pilots who secure the  
11          economic success and defense of the United States.

12          (4) General aviation contributes to well-paying  
13          jobs in the manufacturing and technology sectors in  
14          the United States and products produced by those  
15          sectors are exported in great numbers.

16          (5) Technology developed and proven in general  
17          aviation aids in the success and safety of all sectors  
18          of aviation and scientific competence.

19          (6) The average small airplane in the United  
20          States is now 40 years old and the regulatory bar-  
21          riers to bringing new designs to the market are re-  
22          sulting in a lack of innovation and investment in  
23          small airplane design.

1           (7) Since 2003, the United States lost 10,000  
2           active private pilots per year on average, partially  
3           due to a lack of cost-effective, new small airplanes.

4           (8) General aviation safety can be improved by  
5           modernizing and revamping the regulations relating  
6           to small airplanes to clear the path for technology  
7           adoption and cost-effective means to retrofit the ex-  
8           isting fleet with new safety technologies.

9   **SEC. 3. SAFETY AND REGULATORY IMPROVEMENTS FOR**  
10                                   **GENERAL AVIATION.**

11           (a) IN GENERAL.—Not later than December 15,  
12   2015, the Administrator of the Federal Aviation Adminis-  
13   tration shall issue a final rule—

14           (1) to advance the safety and continued devel-  
15           opment of small airplanes by reorganizing the cer-  
16           tification requirements for such airplanes under part  
17           23 to streamline the approval of safety advance-  
18           ments; and

19           (2) that meets the objectives described in sub-  
20           section (b).

21           (b) OBJECTIVES DESCRIBED.—The objectives de-  
22           scribed in this subsection are the following objectives of  
23           the Part 23 Reorganization Aviation Rulemaking Com-  
24           mittee:

1           (1) The establishment of a regulatory regime  
2           for small airplanes that will improve safety and de-  
3           crease certification costs.

4           (2) The establishment of broad, outcome-driven  
5           safety objectives that will spur innovation and tech-  
6           nology adoption.

7           (3) The replacement of current, prescriptive re-  
8           quirements under part 23 with performance-based  
9           regulations.

10          (4) The use of consensus standards accepted by  
11          the Federal Aviation Administration to clarify how  
12          the safety objectives of part 23 may be met using  
13          specific designs and technologies.

14          (c) CONSENSUS-BASED STANDARDS.—In prescribing  
15          regulations under this section, the Administrator shall use  
16          consensus standards, as described in section 12(d) of the  
17          National Technology Transfer and Advancement Act of  
18          1996 (15 U.S.C. 272 note), to the extent practicable while  
19          continuing to evaluate traditional methods for meeting the  
20          objectives of part 23.

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

1 (e) DEFINITIONS.—In this section:

2 (1) CONSENSUS STANDARDS.—

3 (A) IN GENERAL.—The term “consensus  
4 standards” means standards developed by an  
5 organization described in subparagraph (B)  
6 that may include provisions requiring that own-  
7 ers of relevant intellectual property have agreed  
8 to make that intellectual property available on  
9 a nondiscriminatory, royalty-free, or reasonable  
10 royalty basis to all interested persons.

11 (B) ORGANIZATIONS DESCRIBED.—An or-  
12 ganization described in this subparagraph is a  
13 domestic or international organization that—

14 (i) plans, develops, establishes, or co-  
15 ordinates, through a process based on con-  
16 sensus and using agreed-upon procedures,  
17 voluntary standards; and

18 (ii) operates in a transparent manner,  
19 considers a balanced set of interests with  
20 respect to such standards, and provides for  
21 due process and an appeals process with  
22 respect to such standards.

23 (2) GENERAL AVIATION.—The term “general  
24 aviation” means all aviation activities other than

1 scheduled commercial air carrier operations and  
2 military aviation.

3 (3) PART 23.—The term “part 23” means part  
4 23 of title 14, Code of Federal Regulations.

5 (4) PART 23 REORGANIZATION AVIATION RULE-  
6 MAKING COMMITTEE.—The term “Part 23 Reorga-  
7 nization Aviation Rulemaking Committee” means  
8 the aviation rulemaking committee established by  
9 the Federal Aviation Administration in August 2011  
10 to consider the reorganization of the regulations  
11 under part 23.

12 (5) SMALL AIRPLANE.—The term “small air-  
13 plane” means an airplane to which part 23 applies.

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