

117TH CONGRESS
2D SESSION

S. 4246

To direct the Secretary of Transportation to establish a pilot program to provide grants related to advanced air mobility infrastructure, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 18 (legislative day, MAY 17), 2022

Mr. PADILLA (for himself and Mr. MORAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Secretary of Transportation to establish a pilot program to provide grants related to advanced air mobility infrastructure, 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 “Advanced Aviation In-
5 frastructure Modernization Act” or the “AAIM Act”.

6 **SEC. 2. ADVANCED AIR MOBILITY INFRASTRUCTURE PILOT**
7 **PROGRAM.**

8 (a) ESTABLISHMENT.—Not later than 180 days after
9 the date of enactment of this Act, the Secretary shall es-

1 establish a pilot program to provide grants that assist an
2 eligible entity to plan for the development and deployment
3 of infrastructure necessary to facilitate AAM operations,
4 locally and regionally, within the United States.

5 (b) PLANNING GRANTS.—

6 (1) IN GENERAL.—The Secretary shall provide
7 grants to eligible entities to develop comprehensive
8 plans under paragraph (2) related to AAM infra-
9 structure.

10 (2) COMPREHENSIVE PLAN.—

11 (A) IN GENERAL.—Not later than 1 year
12 after receiving a grant under this subsection, an
13 eligible entity shall submit to the Secretary a
14 comprehensive plan in a format capable of
15 being published on the website of the Depart-
16 ment of Transportation.

17 (B) PLAN CONTENTS.—The Secretary
18 shall establish content requirements for com-
19 prehensive plans submitted under this sub-
20 section, which shall include not less than 1 of
21 the following:

22 (i) The identification of planned or
23 potential vertiport locations.

24 (ii) A description of infrastructure
25 necessary to support AAM operations.

1 (iii) A description of types of planned
2 or potential AAM operations and forecast
3 for proposed vertiport operations, including
4 estimates for initial operations and future
5 growth.

6 (iv) The identification of physical and
7 digital infrastructure required to meet any
8 standards for vertiport design and per-
9 formance characteristics established by the
10 Federal Aviation Administration (as in ef-
11 fect on the date on which the Secretary
12 issues a grant to an eligible entity), includ-
13 ing modifications to existing infrastructure
14 and ground sensors, electric charging or
15 other fueling requirements, electric utility
16 requirements, wireless and cybersecurity
17 requirements, fire safety, perimeter secu-
18 rity, and other necessary hardware or soft-
19 ware.

20 (v) A description of any hazard asso-
21 ciated with planned vertiport infrastruc-
22 ture, such as handling of hazardous mate-
23 rials, batteries, or other fuel cells, charging
24 or fueling of aircraft, aircraft rescue and

1 firefighting response, and emergency plan-
 2 ning.

3 (vi) A description of potential environ-
 4 mental effects of planned construction or
 5 siting of vertiports.

6 (vii) A description of how planned
 7 vertiport locations, including new or
 8 repurposed infrastructure, fit into State
 9 and local transportation systems and net-
 10 works, including—

11 (I) connectivity to existing public
 12 transportation hubs and intermodal
 13 and multimodal facilities;

14 (II) opportunities to create new
 15 service to rural areas and areas un-
 16 derserved by air transportation; or

17 (III) opportunities to utilize ex-
 18 isting aviation infrastructure, such as
 19 airports and heliports, for AAM oper-
 20 ations.

21 (viii) A description of how vertiport
 22 planning will be incorporated in State or
 23 metropolitan planning documents.

24 (ix) The identification of the process
 25 an eligible entity will undertake to ensure

1 an adequate level of engagement with any
2 potentially impacted community for each
3 planned vertiport location and planned or
4 anticipated AAM operations, such as en-
5 gagement with communities in rural areas,
6 underserved communities, individuals with
7 disabilities, or racial and ethnic minorities.

8 (x) The identification of the actions
9 necessary for an eligible entity to under-
10 take the construction of a vertiport, such
11 as planning studies to assess existing in-
12 frastructure or newly identified areas of
13 AAM integration, environmental studies,
14 studies of projected economic benefit to the
15 community, lease or acquisition of an ease-
16 ment or land for new infrastructure, and
17 activities related to other capital costs.

18 (xi) The identification of State, local,
19 or private sources of funding an eligible
20 entity may use to assist with the construc-
21 tion or operation of a vertiport.

22 (xii) The identification of existing
23 Federal aeronautical and airspace require-
24 ments that must be met for the eligible en-
25 tity's planned vertiport location.

(xiii) A description of how the eligible entity will include opportunities for small business concerns owned and controlled by socially and economically disadvantaged individuals to compete, on an equal basis, for contracts or subcontracts related to the design, development, construction, or operation of a proposed vertiport.

(3) APPLICATION.—To apply for a grant under this subsection, an eligible entity shall provide to the Secretary an application in such form, at such time, and containing such information as the Secretary may require.

(4) SELECTION.—

(A) IN GENERAL.—In awarding grants under this subsection, the Secretary shall consider the following:

(i) Geographic diversity.

(ii) Diversity of the proposed models of infrastructure financing and management.

(iii) Diversity of anticipated or planned AAM operations.

(iv) The need for comprehensive plans that—

1 (I) facilitate the safe and effi-
2 cient integration of AAM operations
3 into the National Airspace System;

4 (II) improve transportation safe-
5 ty, connectivity, and access in both
6 rural and urban regions in the United
7 States;

8 (III) leverage existing public
9 transportation systems and intermodal
10 and multimodal facilities or newly
11 identified areas of AAM integration;

12 (IV) reduce surface congestion
13 and the environmental impacts of
14 transportation;

15 (V) grow the economy and create
16 jobs in the United States; and

17 (VI) encourage community en-
18 gagement when planning for AAM-re-
19 lated infrastructure.

20 (B) PRIORITY.—The Secretary shall
21 prioritize awarding grants under this subsection
22 to eligible entities that partner with commercial
23 AAM entities, institutions of higher education,
24 research institutions, or other relevant stake-

holders to develop and prepare a comprehensive plan.

(C) MINIMUM ALLOCATION TO RURAL AREAS.—The Secretary shall ensure that not less than 20 percent of the amounts made available under subsection (c) are used to award grants to eligible entities that submit a comprehensive plan under paragraph (2) that is related to infrastructure located in a rural area.

(5) GRANT AMOUNT.—Each grant made under this subsection shall be made in an amount that is not more than \$1,000,000.

(6) BRIEFING.—

(A) IN GENERAL.—Not later than 180 days after the first comprehensive plan is submitted under paragraph (2), and every 180 days thereafter through September 30, 2024, the Secretary shall provide a briefing to the appropriate committees of Congress on the comprehensive plans submitted to the Secretary under such paragraph.

(B) CONTENTS.—The briefing required under subparagraph (A) shall include—

(i) an evaluation of all planned or proposed vertiport locations included in the

comprehensive plans submitted under paragraph (2) and how such planned or proposed vertiport locations may fit into the overall United States transportation system and network; and

(ii) a description of lessons or best practices learned through the review of comprehensive plans and how the Secretary will incorporate any such lessons or best practices into Federal standards or guidance for the design and operation of AAM infrastructure and facilities.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to the Secretary to carry out this section \$12,500,000 for each of fiscal years 2022 and 2023, to remain available until expended.

(2) ADMINISTRATIVE EXPENSES.—Of the amounts made available under paragraph (1), the Secretary may retain up to 1 percent for personnel, contracting, and other costs to establish and administer the pilot program under this section.

(d) TERMINATION.—

(1) IN GENERAL.—No grant may be awarded under this section after September 30, 2023.

1 (2) CONTINUED FUNDING.—Funds authorized
2 to be appropriated pursuant to subsection (c) may
3 be expended after September 30, 2023—

4 (A) for grants awarded prior to September
5 30, 2023; and

6 (B) for administrative expenses.

7 (e) DEFINITIONS.—In this Act:

8 (1) ADVANCED AIR MOBILITY; AAM.—The terms
9 “advanced air mobility” and “AAM” mean a trans-
10 portation system that transports individuals or prop-
11 erty between points in the United States using air-
12 craft with innovative capabilities, including aircraft
13 that use 2 or more lift or thrust units to generate
14 powered lift and control during vertical takeoff or
15 landing, that may be piloted, remotely piloted, or au-
16 tonomous, including those powered by electric or hy-
17 brid driven propulsion, in both controlled and uncon-
18 trolled airspace.

19 (2) APPROPRIATE COMMITTEES OF CON-
20 GRESS.—The term “appropriate committees of Con-
21 gress” means the Committee on Transportation and
22 Infrastructure of the House of Representatives and
23 the Committee on Commerce, Science, and Trans-
24 portation of the Senate.

1 (3) COMMERCIAL AAM ENTITIES.—The term
2 “commercial AAM entities” means—

3 (A) manufacturers of aircraft, avionics,
4 propulsion systems, and air traffic management
5 systems related to AAM;

6 (B) intended commercial operators of AAM
7 aircraft and systems; and

8 (C) intended commercial operators and de-
9 velopers of vertiports.

10 (4) ELIGIBLE ENTITY.—The term “eligible enti-
11 ty” means—

12 (A) a State, local, or Tribal government,
13 including a political subdivision thereof;

14 (B) an airport sponsor;

15 (C) a transit agency;

16 (D) a port authority;

17 (E) a metropolitan planning organization;

18 or

19 (F) any combination or consortium of the
20 entities described in subparagraphs (A) through
21 (E).

22 (5) METROPOLITAN PLANNING ORGANIZA-
23 TION.—The term “metropolitan planning organiza-
24 tion” has the meaning given such term in section
25 5303(b) of title 49, United States Code.

1 (6) RURAL AREA.—The term “rural area”
2 means an area located outside a metropolitan statis-
3 tical area (as designated by the Office of Manage-
4 ment and Budget).

5 (7) SECRETARY.—The term “Secretary” means
6 the Secretary of Transportation.

7 (8) STATE.—The term “State” means a State
8 of the United States, the District of Columbia, Puer-
9 to Rico, the Virgin Islands, American Samoa, the
10 Northern Mariana Islands, and Guam.

11 (9) VERTIPOINT.—The term “vertiport” means
12 a designated location used or intended to be used to
13 support AAM operations, including the landing,
14 takeoff, loading, taxiing, parking, and storage of air-
15 craft developed for AAM operations.

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