

118TH CONGRESS
1ST SESSION

S. 1765

To require the Federal Aviation Administration to establish evacuation standards for transport category airplanes.

IN THE SENATE OF THE UNITED STATES

MAY 31 (legislative day, MAY 30), 2023

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

A BILL

To require the Federal Aviation Administration to establish evacuation standards for transport category airplanes.

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 “Emergency Vacating
5 of Aircraft Cabin Act”.

6 **SEC. 2. EVACUATION STANDARDS FOR TRANSPORT CAT-** 7 **EGORY AIRPLANES.**

8 (a) RULEMAKING.—Not later than 18 months after
9 the date of enactment of this section, the Administrator
10 of the Federal Aviation Administration shall issue a final

1 rule establishing evacuation standards for transport cat-
2 egory airplanes, as described in part 25 of title 14, Code
3 of Federal Regulations.

4 (b) CONSIDERATIONS.—

5 (1) IN GENERAL.—In issuing the final rule
6 under subsection (a), the Administrator shall con-
7 sider factors that include—

8 (A) the ability of passengers of different
9 ages (including infants, children, and senior
10 citizens) to safely and efficiently evacuate a
11 transport category airplane;

12 (B) the ability of passengers of different
13 heights and weights to safely and efficiently
14 evacuate a transport category airplane;

15 (C) the ability of passengers with disabil-
16 ities to safely and efficiently evacuate a trans-
17 port category airplane;

18 (D) the ability of passengers who cannot
19 speak, have difficulty speaking, use synthetic
20 speech, or are non-vocal or non-verbal to safely
21 and efficiently evacuate a transport category
22 airplane;

23 (E) the ability of passengers who do not
24 speak English to safely and efficiently evacuate
25 a transport category airplane;

1 (F) the impact of the presence of carry-on
2 luggage or personal items (such as a purse,
3 briefcase, laptop, or backpack) on the ability of
4 passengers to safely and efficiently evacuate a
5 transport category airplane;

6 (G) the impact of seat size, seat pitch, and
7 aisle width on the ability of passengers to safely
8 and efficiently evacuate a transport category
9 airplane;

10 (H) the impact of seats and other obstacles
11 in the pathway to the exit opening from the
12 nearest aisle on the ability of passengers to
13 safely and efficiently evacuate a transport cat-
14 egory airplane;

15 (I) with respect to aircraft with parallel
16 longitudinal aisles, the impact of seat pods or
17 other seating configurations that block access
18 between such aisles within a cabin on the ability
19 of passengers to safely and efficiently evacuate
20 a transport category airplane;

21 (J) the impact of passenger load (the num-
22 ber of passengers relative to the number of
23 seats on board) on the ability of passengers to
24 safely and efficiently evacuate a transport cat-
25 egory airplane;

(K) the impact of service animals (as defined in sections 35.104 and 36.104 of title 28, Code of Federal Regulations) on the ability of passengers (including such service animals and their handlers) to safely and efficiently evacuate a transport category airplane;

(L) the impact of smoke, darkness, or other factors that diminish visibility in the aircraft cabin on the ability of passengers to safely and efficiently evacuate a transport category airplane; and

(M) any other factor determined appropriate by the Administrator.

(2) PASSENGERS WITH DISABILITIES DEFINED.—For purposes of this subsection, the term “passengers with disabilities”—

(A) means any qualified individual with a disability, as defined in section 382.3 of title 14, Code of Federal Regulations; and

(B) includes any passengers—

(i) with a physical impairment, such as passengers who are blind, deaf, non-ambulatory, have limited mobility, or require a wheelchair, walker, cane, brace, prosthetic, or other mobility aid;

- 1 (ii) whose physical impairment re-
2 quires the use of a medical device to assist
3 with mobility, such as a portable oxygen
4 concentrator; or
5 (iii) with an intellectual, develop-
6 mental or mental impairment.

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