

Public Law 101-236
101st Congress

An Act

Dec. 15, 1989

[H.R. 3671]

To amend the Federal Aviation Act of 1958 to extend the civil penalty assessment demonstration program.

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

SECTION 1. AMENDMENTS TO FEDERAL AVIATION ACT.

EXTENSION OF PROGRAM.—Section 905(d)(4) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1475(d)(4)) is amended by striking “2-year” and inserting “28 month”.

Safety.

SEC. 2. INSTALLATION AND EVALUATION OF COLLISION AVOIDANCE SYSTEMS.

Section 601(f) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1421(f)) is amended—

- (1) by redesignating paragraph (3) as paragraph (6); and
- (2) by inserting immediately after paragraph (2) the following new paragraphs:

“(3) **OPERATIONAL EVALUATION.**—The Administrator shall institute, for a 1-year period beginning not later than December 30, 1990, a program for the operational evaluation of the collision avoidance system known as TCAS-II, in order to collect and assess safety and operational data from the civil aircraft equipped with such system. In conducting the program, the Administrator shall encourage the participation of foreign air carriers which operate civil aircraft equipped with such system.

“(4) **EXTENSION OF TIME.**—If the Administrator determines that extending the deadline contained in paragraph (2) is necessary—

“(A) to promote a safe and orderly transition to operation of a fleet of civil aircraft described in paragraph (2) which is equipped with the collision avoidance system known as TCAS-II, or

“(B) to promote other safety objectives, the Administrator may extend such deadline for a period not to exceed 2 years.

“(5) **COMPATABILITY OF WINDSHEAR EQUIPMENT INSTALLATION SCHEDULE.**—The Administrator shall consider the feasibility and desirability of amending the schedule for the installation of airborne low-altitude windshear equipment in order to make such schedule compatible with the schedule for the installation of the collision avoidance system known as TCAS-II.”

Virginia.

SEC. 3. PENINSULA AIRPORT CONVEYANCE.

Subsection (b) of the first section of the Act entitled “An Act to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the Peninsula Airport

Commission, Virginia, for airport purposes", approved November 6, 1986 (Public Law 99-618; 100 Stat. 3490), is amended—

- (1) in paragraph (3) by striking "7.5 acres" and inserting in lieu thereof "20.5 acres"; and
- (2) by striking paragraph (4).

SEC. 4. EXCESS LAND DISPOSAL.

Airports.

Paragraph 14 of section 511(a) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2210(a)) is amended to read as follows:

"(14) if the airport operator or owner receives a grant before, on, or after December 31, 1987, for the purchase of land for airport development purposes (other than noise compatibility purposes)—

"(A) the owner or operator will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States proportionate share of the fair market value of the land;

"(B) such disposition will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with the operation of the airport;

"(C) that portion of the proceeds of such disposition which is proportionate to the United States share of the cost of acquisition of such land will—

"(i) upon application to the Secretary, be reinvested in another eligible airport improvement project or projects approved by the Secretary at that airport or within the national airport system; or

"(ii) be paid to the Secretary for deposit in the Trust Fund if no such eligible project exists;

subject to the requirement that land shall be considered to be needed for airport purposes under this paragraph if (I) it may be needed for aeronautical purposes (including runway protection zone) or serves as noise buffer land and (II) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport, and subject to the further requirement that land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or the Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the use of such land, did not object to such use, and the land continues to be used for that purpose;"

Approved December 15, 1989.

LEGISLATIVE HISTORY—H.R. 3671:

HOUSE REPORTS: No. 101-371 (Comm. on Public Works and Transportation).
CONGRESSIONAL RECORD, Vol. 135 (1989):

Nov. 17, considered and passed House.

Nov. 21, considered and passed Senate, amended. House concurred in Senate amendment with an amendment. Senate concurred in House amendment.