

107TH CONGRESS  
1ST SESSION

# S. 959

To amend title 49, United States Code, to authorize the Secretary of Transportation to consider the impact of severe weather conditions on Montana's aviation public and establish regulatory distinctions consistent with those applied to the State of Alaska.

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## IN THE SENATE OF THE UNITED STATES

MAY 24, 2001

Mr. BAUCUS 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 amend title 49, United States Code, to authorize the Secretary of Transportation to consider the impact of severe weather conditions on Montana's aviation public and establish regulatory distinctions consistent with those applied to the State of Alaska.

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 "Montana Rural Avia-  
5 tion Improvement Act".

1 **SEC. 2. MONTANA RURAL AVIATION IMPROVEMENT.**

2 (a) IN GENERAL.—Section 40113 of title 49, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing:

5 “(g) APPLICATION OF CERTAIN REGULATIONS TO  
6 MONTANA.—In amending title 14, Code of Federal Regu-  
7 lations, in a manner affecting intrastate aviation in Mon-  
8 tana, the Administrator of the Federal Aviation Adminis-  
9 tration shall consider the impact of severe weather condi-  
10 tions on Montana’s aviation public and shall, on the basis  
11 of such considerations, establish regulatory distinctions  
12 consistent with those applied to the State of Alaska for  
13 mike-in-hand weather observation.”.

14 (b) IMPROVED AVAILABILITY OF INFORMATION ON  
15 WEATHER OBSERVATIONS.—

16 (1) FINDING.—Congress finds that the on-site  
17 certified weather observation programs at Service  
18 Level D sites in Montana are part of the essential  
19 air services in Montana and are frequently used by  
20 pilots of aircraft under emergency circumstances.

21 (2) MIKE-IN-HAND WEATHER OBSERVATION.—

22 (A) REQUIREMENT.—On-site weather ob-  
23 servers at sites referred to in paragraph (1)  
24 shall use a mike-in-hand weather observation  
25 and reporting technique to correct and supple-  
26 ment weather information derived from Auto-

3 (B) MIKE-IN-HAND TECHNIQUE.—For the  
4 purposes of this paragraph, a mike-in-hand  
5 weather observation and reporting technique is  
6 a routine practice by which a weather observer  
7 uses radio communication to report information  
8 on weather observations directly to a pilot re-  
9 questing the information, thereby ensuring that  
10 the pilot has nearly real-time access to the in-  
11 formation.

12 (C) PERSONNEL TO WHICH APPLICABLE.—

13 This paragraph applies to—

14 (i) on-site weather observers who are  
15 Federal Aviation Administration employ-  
16 ees, National Weather Service employees,  
17 other Federal Government employees, or  
18 State employees; and

19 (ii) persons providing on-site weather  
20 observation services on a full-time or part-  
21 time basis under a contract for such serv-  
22 ices entered into by an official of the Fed-  
23 eral Government, an official of the Govern-

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