

108TH CONGRESS
1ST SESSION

S. 955

To provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2003

Mr. ALLEN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations.

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 “Volunteer Pilot Orga-
5 nization Protection Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Scores of public benefit nonprofit volunteer
9 pilot organizations provide valuable services to com-
10 munities and individuals.

1 (2) In calendar year 2001, nonprofit volunteer
 2 pilot organizations provided long-distance, no-cost
 3 transportation for over 30,000 people in times of
 4 special need.

5 (3) Such organizations are no longer able to
 6 reasonably purchase non-owned aircraft liability in-
 7 surance to provide liability protection, and thus face
 8 a highly detrimental liability risk.

9 (4) Such organizations have supported the in-
 10 terests of homeland security by providing volunteer
 11 pilot services at times of national emergency.

12 (b) PURPOSE.—The purpose of this Act is to promote
 13 the activities of nonprofit volunteer pilot organizations fly-
 14 ing for public benefit and to sustain the availability of the
 15 services that such organizations provide, including trans-
 16 portation at no cost to financially needy medical patients
 17 for medical treatment, evaluation, and diagnosis, as well
 18 as other flights of compassion and flights for humani-
 19 tarian and charitable purposes.

20 **SEC. 3. LIABILITY PROTECTION FOR NONPROFIT VOLUN-**
 21 **TEER PILOT ORGANIZATIONS FLYING FOR**
 22 **PUBLIC BENEFIT AND TO PILOTS AND STAFF**
 23 **OF SUCH ORGANIZATIONS.**

24 Section 4 of the Volunteer Protection Act of 1997
 25 (42 U.S.C. 14503) is amended—

1 (1) in subsection (a)(4)—

2 (A) by redesignating subparagraphs (A)

3 and (B) as clauses (i) and (ii), respectively;

4 (B) by inserting “(A)” after “(4)”;

5 (C) by striking the period at the end and

6 inserting “; or” and

7 (D) by adding at the end the following:

8 “(B) the harm was caused by a volunteer of a non-
 9 profit volunteer pilot organization that flies for pub-
 10 lic benefit, while the volunteer was flying in further-
 11 ance of the purpose of the organization and was op-
 12 erating an aircraft for which the volunteer was prop-
 13 erly licensed and individually insured.”; and

14 (2) in subsection (c)—

15 (A) by inserting “(1)” before “Nothing”;

16 and

17 (B) by adding at the end the following new

18 paragraph:

19 “(2) Notwithstanding paragraph (1), a nonprofit vol-
 20 unteer pilot organization that flies for public benefit, and
 21 the staff, mission coordinators, officers, and directors
 22 (whether volunteer or otherwise) of such organization or
 23 a referring agency of such organization, shall not be liable
 24 with respect to harm caused to any person by a volunteer
 25 of such organization, while the volunteer is flying in fur-

1 therance of the purpose of the organization and is oper-
2 ating an aircraft for which the volunteer is properly li-
3 censed and has certified to such organization that such
4 volunteer has in force individual insurance for operating
5 such aircraft.”.

