

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.

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.

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);

(C) by striking the period at the end and  
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-  
0       lic benefit, while the volunteer was flying in further-  
1       ance of the purpose of the organization and was op-  
2       erating an aircraft for which the volunteer was prop-  
3       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.”.

○