

109TH CONGRESS
1ST SESSION

H. R. 65

To amend the age restrictions for pilots.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2005

Mr. GIBBONS introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To amend the age restrictions for pilots.

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. LIMITATION ON AGE RESTRICTIONS.**

4 Section 44703 of title 49, United State Code, is
5 amended by adding at the end the following:

6 “(k) LIMITATION ON AGE RESTRICTIONS.—

7 “(1) IN GENERAL.—Notwithstanding any other
8 provision of law, the Administrator may not, solely
9 by reason of a person’s age, if such person has not
10 attained the person’s social security retirement age
11 as defined in section 216(l) of the Social Security
12 Act (42 U.S.C. 416(l))—

“(A) deny, defer as to, or fail to renew for, any such person an airman or medical certificate to serve as a pilot of aircraft operated by an air carrier engaged in operations under part 121 of title 14, Code of Federal Regulations, or take any other action by regulation or otherwise under this section, including the imposition of restrictions or limitations on an airman or medical certificate following initial or periodic competency or medical testing, which has the same age discriminatory effect on any such person; or

“(B) require an air carrier engaged in operations under such part to terminate the employment of, or not to employ, any such person as a pilot of an aircraft operated by such air carrier, or take any other action by regulation or otherwise under section 44705 which has the same age discriminatory effect on any such person.

“(2) APPLICABILITY.—Nothing in paragraph (1) shall provide the basis for a claim of seniority under any labor agreement in effect between a recognized bargaining unit for pilots and an air carrier engaged in operations under part 121 of title 14, Code of Federal Regulations, made by any pilot

1 seeking re-employment by such air carrier following
2 the pilot's previous termination or cessation of em-
3 ployment as mandated by section 121.383(c) of title
4 14, Code of Federal Regulations.

5 “(3) AMENDMENT OF REGULATION.—Upon the
6 enactment of this subsection, the provisions of sec-
7 tion 121.383(c) of title 14, Code of Federal Regula-
8 tions (as in effect on the day before the date of en-
9 actment of this subsection) shall cease to apply and
10 the Administrator shall take such action as is nec-
11 essary to carry out this subsection.”.

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