

115TH CONGRESS
1ST SESSION

S. 1431

To provide liability protection for volunteer pilots who fly for the public benefit, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2017

Mr. INHOFE (for himself, Mr. KING, and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide liability protection for volunteer pilots who fly for the public benefit, and for other purposes.

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 Protec-
5 tion Act of 2017”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

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

8 (1) Many volunteer pilots fly for the public ben-
9 efit for nonprofit organizations and provide valuable
10 services to communities and individuals in need.

1 (2) In each calendar year volunteer pilots and
2 the nonprofit organizations those pilots fly for pro-
3 vide long-distance, no-cost transportation for tens of
4 thousands of people during times of special need.
5 Flights provide patient and medical transport, dis-
6 aster relief, and humanitarian assistance, and con-
7 duct other charitable missions that benefit the pub-
8 lic.

9 (3) Such nonprofit organizations have sup-
10 ported the homeland security of the United States
11 by providing volunteer pilot services during and fol-
12 lowing disasters and during other times of national
13 emergency.

14 (4) Most other kinds of volunteers are protected
15 from liability by the Volunteer Protection Act of
16 1997 (42 U.S.C. 14501 et seq.), but volunteer pilots
17 are not.

18 (b) PURPOSES.—The purposes of this Act are to
19 amend the Volunteer Protection Act of 1997—

20 (1) to extend the protection of that Act to vol-
21 unteer pilots;

22 (2) to promote the activities of volunteer pilots
23 and the nonprofit organizations those pilots fly for
24 in providing flights for the public benefit; and

1 (3) to sustain and enhance the availability of
 2 the services that such pilots and nonprofit organiza-
 3 tions provide, including—

4 (A) transportation at no cost to financially
 5 needy medical patients for medical treatment,
 6 evaluation, and diagnosis;

7 (B) flights for humanitarian and charitable
 8 purposes; and

9 (C) other flights of compassion.

10 **SEC. 3. LIABILITY PROTECTION FOR VOLUNTEER PILOTS**

11 **WHO FLY FOR THE PUBLIC BENEFIT.**

12 Section 4 of the Volunteer Protection Act of 1997
 13 (42 U.S.C. 14503) is amended—

14 (1) by redesignating subsections (b) through (f)
 15 as subsections (c) through (g), respectively;

16 (2) in subsection (a), by striking “subsections
 17 (b) and (d)” and inserting “subsections (b), (c), and
 18 (e)”;

19 (3) by inserting after subsection (a) the fol-
 20 lowing:

21 “(b) LIABILITY PROTECTION FOR PILOTS THAT FLY
 22 FOR PUBLIC BENEFIT.—Except as provided in sub-
 23 sections (c) and (e), no volunteer of a volunteer pilot non-
 24 profit organization that arranges flights for public benefit
 25 shall be liable for harm caused by an act or omission of

1 the volunteer on behalf of the organization if, at the time
2 of the act or omission, the volunteer—

3 “(1) was operating an aircraft in furtherance of
4 the purpose of, and acting within the scope of the
5 volunteer’s responsibilities on behalf of, the non-
6 profit organization;

7 “(2) was properly licensed and insured for the
8 operation of the aircraft;

9 “(3) was in compliance with all requirements of
10 the Federal Aviation Administration for recent flight
11 experience; and

12 “(4) did not cause the harm through willful or
13 criminal misconduct, gross negligence, reckless mis-
14 conduct, or a conscious, flagrant indifference to the
15 rights or safety of the individual harmed by the vol-
16 unteer.”; and

17 (4) in subsection (g)(2), as redesignated, by
18 striking “(e)” and inserting “(f)”.

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