

118TH CONGRESS
1ST SESSION

H. R. 6448

To require the Administrator of the Federal Aviation Administration to conduct a study to compare the effects of allowing certain aircraft certified under part 23 of title 14, Code of Federal Regulations, to operate under part 121 of such title, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2023

Mr. MANN (for himself and Mr. MAGAZINER) introduced the following bill;
which was referred to the Committee on Transportation and Infrastructure

A BILL

To require the Administrator of the Federal Aviation Administration to conduct a study to compare the effects of allowing certain aircraft certified under part 23 of title 14, Code of Federal Regulations, to operate under part 121 of such title, 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. STUDY ON SAFETY AND AIRWORTHINESS OF**
4 **CERTAIN AIRCRAFT.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this Act, the Administrator of the
7 Federal Aviation Administration shall conduct a study on

1 the effects of allowing post-2017 aircraft to operate under
2 part 121 of title 14, Code of Federal Regulations.

3 (b) CONSIDERATIONS.—In conducting the study
4 under subsection (a), the Administrator shall consider—

5 (1) actions that Congress may take to
6 incentivize aircraft manufacturers to produce air-
7 craft that are right-sized to serve small communities;

8 (2) recommendations of the National Transpor-
9 tation Safety Board contained in Safety Study 94/
10 02, titled “Commuter Airline Safety”, and published
11 by the Board in November 1994;

12 (3) the final rule of the Federal Aviation Ad-
13 ministration, titled “Commuter Operations and Gen-
14 eral Certification and Operations Requirements”,
15 and published on December 20, 1995 (60 Fed. Reg.
16 65832); and

17 (4) the operational disadvantages that air car-
18 riers face due to Federal regulations compared with
19 foreign air carriers using post-2017 aircraft.

20 (c) COMPOSITION OF STUDY GROUP.—In conducting
21 the study under subsection (a), the Administrator shall co-
22 ordinate with, and solicit comments and input from an
23 independent study group, which shall be comprised of the
24 following members appointed by the Administrator:

25 (1) Representatives of the aviation industry.

1 (2) Representatives of small, rural, and remote
2 communities affected by decreasing scheduled airline
3 service, as well as communities in which subsidies
4 are provided pursuant to subchapter II of chapter
5 417 of title 49, United States Code.

6 (3) Aviation safety experts with specific knowl-
7 edge of aircraft airworthiness requirements under
8 part 23 and part 25 of title 14, Code of Federal
9 Regulations.

10 (d) REPORT TO CONGRESS.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment of this Act, the Administrator
13 shall complete the study required under subsection
14 (a) and submit to the Committee on Transportation
15 and Infrastructure of the House of Representative
16 and the Committee on Commerce, Science, and
17 Technology of the Senate a report on such study.

18 (2) CONTENTS.—The Administrator shall in-
19 clude in the report required under paragraph (1)—

20 (A) a comparison of the safety of pre-1995
21 aircraft with the safety of post-2017 aircraft;

22 (B) a description of the number of pre-
23 1995 aircraft that are used for commercial pur-
24 poses as of the date of enactment of this Act;

1 (C) an assessment of whether air carriers
2 operating under part 121 of title 14, Code of
3 Federal Regulations, would purchase post-2017
4 aircraft for commercial purposes; and

5 (D) an assessment of the economic need of
6 scheduled airline service of small and rural
7 communities and the longstanding challenges of
8 improving scheduled service to these commu-
9 nities.

10 (e) DEFINITIONS.—In this section:

11 (1) PRE-1995 AIRCRAFT.—The term “pre-1995
12 aircraft” means passenger aircraft with at least 10
13 and not more than 19 seats that were certified
14 under part 23 of title 14, Code of Federal Regula-
15 tions, before March 29, 1995, and that operate
16 under part 121 of such title.

17 (2) POST-2017 AIRCRAFT.—The term “post-
18 2017 aircraft” means passenger aircraft with at
19 least 10 and not more than 19 seats certified under
20 part 23 of title 14, Code of Federal Regulations,
21 after August 30, 2017.

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