

prove the safety of helicopter air ambulance operations.”

Subsec. (f). Pub. L. 118–63, §301(c)(3), redesignated subsec. (f) as (e).

2018—Subsec. (a). Pub. L. 115–254, §314(d)(1)(A), substituted “annually” for “not later than 1 year after the date of enactment of this section, and annually thereafter” in introductory provisions.

Subsec. (a)(2). Pub. L. 115–254, §314(d)(1)(B), substituted “hours flown by the helicopters operated by the certificate holder” for “flights and hours flown, by registration number, during which helicopters operated by the certificate holder were providing helicopter air ambulance services”.

Subsec. (a)(3). Pub. L. 115–254, §314(d)(1)(C), substituted “of patients transported and the number of patient transport” for “of flight”, inserted “or” after “interfacility transport,”, and struck out “, or ferry or repositioning flight” after “organ transport”.

Subsec. (a)(5). Pub. L. 115–254, §314(d)(1)(D), struck out “flights and” after “The number of” and “while providing air ambulance services” before period at end.

Subsec. (a)(6). Pub. L. 115–254, §314(d)(1)(E), amended par. (6) generally. Prior to amendment, par. (6) read as follows: “The time of day of each flight flown by helicopters operated by the certificate holder while providing air ambulance services.”

Subsec. (d). Pub. L. 115–254, §314(d)(2), substituted “The Administrator shall submit annually” for “Not later than 2 years after the date of enactment of this section, and annually thereafter, the Administrator shall submit” and inserted at end “The report shall include the number of accidents experienced by helicopter air ambulance operations, the number of fatal accidents experienced by helicopter air ambulance operations, and the rate, per 100,000 flight hours, of accidents and fatal accidents experienced by operators providing helicopter air ambulance services.”

Subsecs. (e), (f). Pub. L. 115–254, §314(d)(3), (4), added subsec. (e) and redesignated former subsec. (e) as (f).

Statutory Notes and Related Subsidiaries

HELICOPTER AIR AMBULANCE OPERATIONS DATA AND REPORTS

Pub. L. 115–254, div. B, title III, §314(a)–(c), Oct. 5, 2018, 132 Stat. 3265, 3266, provided that:

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Oct. 5, 2018], the Administrator [of the Federal Aviation Administration], in collaboration with helicopter air ambulance industry stakeholders, shall assess the availability of information to the general public related to the location of heliports and helipads used by helicopters providing air ambulance services, including helipads and helipads outside of those listed as part of any existing databases of Airport Master Record (5010) forms.

“(b) REQUIREMENTS.—Based on the assessment under subsection (a), the Administrator shall—

“(1) update, as necessary, any existing guidance on what information is included in the current databases of Airport Master Record (5010) forms to include information related to heliports and helipads used by helicopters providing air ambulance services; or

“(2) develop, as appropriate and in collaboration with helicopter air ambulance industry stakeholders, a new database of heliports and helipads used by helicopters providing air ambulance services.

“(c) REPORTS.—

“(1) ASSESSMENT REPORT.—Not later than 30 days after the date the assessment under subsection (a) is complete, the Administrator shall submit to the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives] a report on the assessment, including any recommendations on how to make information related to the location of heliports and helipads used by helicopters providing air ambulance services available to the general public.

“(2) IMPLEMENTATION REPORT.—Not later than 30 days after completing action under paragraph (1) or paragraph (2) of subsection (b), the Administrator shall submit to the appropriate committees of Congress a report on such action.”

§ 44732. Prohibition on personal use of electronic devices on flight deck

(a) IN GENERAL.—It is unlawful for a flight crewmember of an aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations, to use a personal wireless communications device or laptop computer while at the flight crewmember’s duty station on the flight deck of such an aircraft while the aircraft is being operated.

(b) EXCEPTIONS.—Subsection (a) shall not apply to the use of a personal wireless communications device or laptop computer for a purpose directly related to operation of the aircraft, or for emergency, safety-related, or employment-related communications, in accordance with procedures established by the air carrier and the Administrator of the Federal Aviation Administration.

(c) ENFORCEMENT.—In addition to the penalties provided under section 46301 applicable to any violation of this section, the Administrator of the Federal Aviation Administration may enforce compliance with this section under section 44709 by amending, modifying, suspending, or revoking a certificate under this chapter.

(d) PERSONAL WIRELESS COMMUNICATIONS DEVICE DEFINED.—In this section, the term “personal wireless communications device” means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted.

(Added Pub. L. 112–95, title III, §307(a), Feb. 14, 2012, 126 Stat. 61.)

Statutory Notes and Related Subsidiaries

REGULATIONS

Pub. L. 112–95, title III, §307(d), Feb. 14, 2012, 126 Stat. 62, provided that: “Not later than 90 days after the date of enactment of this Act [Feb. 14, 2012], the Administrator of the Federal Aviation Administration shall initiate a rulemaking procedure for regulations to carry out section 44732 of title 49, United States Code (as added by this section), and shall issue a final rule thereunder not later than 2 years after the date of enactment of this Act.”

§ 44733. Oversight of repair stations located outside the United States

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall establish and implement a safety assessment system for all part 145 repair stations based on the type, scope, and complexity of work being performed. The system shall—

(1) ensure that repair stations located outside the United States are subject to appropriate inspections based on identified risks and consistent with existing United States requirements;

(2) consider inspection results and findings submitted by foreign civil aviation authorities operating under a maintenance safety or

maintenance implementation agreement with the United States; and

(3) require all maintenance safety or maintenance implementation agreements to provide an opportunity for the Administration to conduct independent inspections of part 145 repair stations when safety concerns warrant such inspections.

(b) NOTICE TO CONGRESS OF NEGOTIATIONS.—The Administrator shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 30 days after initiating formal negotiations with foreign aviation authorities or other appropriate foreign government agencies on a new maintenance safety or maintenance implementation agreement.

(c) ANNUAL REPORT.—The Administrator shall publish an annual report on the Administration's oversight of part 145 repair stations and implementation of the safety assessment system required under subsection (a). The report shall—

(1) describe in detail any improvements in the Administration's ability to identify and track where part 121 air carrier repair work is performed;

(2) include a staffing model to determine the best placement of inspectors and the number of inspectors needed;

(3) describe the training provided to inspectors; and

(4) include an assessment of the quality of monitoring and surveillance by the Administration of work performed by its inspectors and the inspectors of foreign authorities operating under a maintenance safety or maintenance implementation agreement.

(d) ALCOHOL AND CONTROLLED SUBSTANCES TESTING PROGRAM REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of State and the Secretary of Transportation, acting jointly, shall request the governments of foreign countries that are members of the International Civil Aviation Organization to establish international standards for alcohol and controlled substances testing of persons that perform safety-sensitive maintenance functions on commercial air carrier aircraft.

(2) APPLICATION TO PART 121 AIRCRAFT WORK.—Not later than 1 year after the date of enactment of this section, the Administrator shall promulgate a proposed rule requiring that all part 145 repair station employees responsible for safety-sensitive maintenance functions on part 121 air carrier aircraft are subject to an alcohol and controlled substances testing program determined acceptable by the Administrator and consistent with the applicable laws of the country in which the repair station is located.

(e) ANNUAL INSPECTIONS.—The Administrator shall ensure that part 145 repair stations located outside the United States are inspected annually, without prior notice to such repair stations, by Federal Aviation Administration safety inspectors, without regard to where the station is located, in a manner consistent with United States obligations under international agreements and the applicable laws of the coun-

try in which the repair station is located. The Administrator may carry out announced or unannounced inspections in addition to the annual unannounced inspection required under this subsection based on identified risks and in a manner consistent with United States obligations under international agreements and the applicable laws of the country in which the part 145 repair station is located.

(f) RISK-BASED OVERSIGHT.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of the FAA Extension, Safety, and Security Act of 2016, the Administrator shall take measures to ensure that the safety assessment system established under subsection (a)—

(A) places particular consideration on inspections of part 145 repair stations located outside the United States that conduct scheduled heavy maintenance work on part 121 air carrier aircraft; and

(B) accounts for the frequency and seriousness of any corrective actions that part 121 air carriers must implement to aircraft following such work at such repair stations.

(2) INTERNATIONAL AGREEMENTS.—The Administrator shall take the measures required under paragraph (1)—

(A) in accordance with United States obligations under applicable international agreements; and

(B) in a manner consistent with the applicable laws of the country in which a repair station is located.

(3) ACCESS TO DATA.—The Administrator may access and review such information or data in the possession of a part 121 air carrier as the Administrator may require in carrying out paragraph (1)(B).

(g) DATA ANALYSIS.—

(1) IN GENERAL.—Each fiscal year in which a part 121 air carrier has had heavy maintenance work performed on an aircraft owned or operated by such carrier, such carrier shall provide to the Administrator, not later than the end of the following fiscal year, a report containing the information described in paragraph (2).

(2) INFORMATION REQUIRED.—A report under paragraph (1) shall contain the following:

(A) The location where any heavy maintenance work on aircraft was performed outside the United States.

(B) A description of the work performed at each such location.

(C) The date of completion of the work performed at each such location.

(D) A list of all failures, malfunctions, or defects affecting the safe operation of such aircraft identified by the air carrier not later than 30 days after the date on which an aircraft is returned to service, organized by reference to aircraft registration number, that—

(i) requires corrective action after the aircraft is approved for return to service; and

(ii) results from such work performed on such aircraft.

(E) The certificate number of the person approving such aircraft or on-wing aircraft

engine for return to service following completion of the work performed at each such location.

(3) ANALYSIS.—The Administrator shall—

(A) analyze information provided under this subsection and sections 121.703, 121.705, 121.707, and 145.221 of title 14, Code of Federal Regulations, or any successor provisions of such title, to detect safety issues associated with heavy maintenance work on aircraft performed outside the United States; and

(B) require appropriate actions by an air carrier or repair station in response to any safety issue identified by the analysis conducted under subparagraph (A).

(4) CONFIDENTIALITY.—Information provided under this subsection shall be subject to the same protections given to voluntarily provided safety or security related information under section 40123.

(h) APPLICATIONS AND PROHIBITION.—

(1) IN GENERAL.—The Administrator may not approve any new application under part 145 of title 14, Code of Federal Regulations, from a person located or headquartered in a country that the Administration, through the International Aviation Safety Assessment program, has classified as Category 2.

(2) EXCEPTION.—Paragraph (1) shall not apply to an application for the renewal of a certificate issued under part 145 of title 14, Code of Federal Regulations.

(3) MAINTENANCE IMPLEMENTATION PROCEDURES AGREEMENT.—The Administrator may elect not to enter into a new maintenance implementation procedures agreement with a country classified as Category 2, for as long as the country remains classified as Category 2.

(4) PROHIBITION ON CONTINUED HEAVY MAINTENANCE WORK.—No part 121 air carrier may enter into a new contract for heavy maintenance work with a person located or headquartered in a country that the Administrator, through the International Aviation Safety Assessment program, has classified as Category 2, for as long as such country remains classified as Category 2.

(i) MINIMUM QUALIFICATIONS FOR MECHANICS AND OTHERS WORKING ON U.S. REGISTERED AIRCRAFT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this subsection, the Administrator shall require that, at each covered repair station—

(A) all supervisory personnel of such station are appropriately certificated as a mechanic or repairman under part 65 of title 14, Code of Federal Regulations, or under an equivalent certification or licensing regime, as determined by the Administrator; and

(B) all personnel of such station authorized to approve an article for return to service are appropriately certificated as a mechanic or repairman under part 65 of such title, or under an equivalent certification or licensing regime, as determined by the Administrator.

(2) AVAILABLE FOR CONSULTATION.—Not later than 18 months after the date of enactment of

this subsection, the Administrator shall require any individual who is responsible for approving an article for return to service or who is directly in charge of heavy maintenance work performed on aircraft operated by a part 121 air carrier be available for consultation while work is being performed at a covered repair station.

(j) DEFINITIONS.—In this section, the following definitions apply:

(1) COVERED REPAIR STATION.—The term “covered repair station” means a facility that—

(A) is located outside the United States;

(B) is a part 145 repair station; and

(C) performs heavy maintenance work on aircraft operated by a part 121 air carrier.

(2) HEAVY MAINTENANCE WORK.—The term “heavy maintenance work” means a C-check, a D-check, or equivalent maintenance operation with respect to the airframe of a transport-category aircraft (including on-wing aircraft engines).

(3) PART 121 AIR CARRIER.—The term “part 121 air carrier” means an air carrier that holds a certificate issued under part 121 of title 14, Code of Federal Regulations.

(4) PART 145 REPAIR STATION.—The term “part 145 repair station” means a repair station that holds a certificate issued under part 145 of title 14, Code of Federal Regulations.

(Added Pub. L. 112–95, title III, §308(a), Feb. 14, 2012, 126 Stat. 62; amended Pub. L. 114–190, title II, §2112(a), July 15, 2016, 130 Stat. 627; Pub. L. 118–63, title III, §302(a)(1), (2), May 16, 2024, 138 Stat. 1067, 1069.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (d)(2), is the date of enactment of Pub. L. 112–95, which was approved Feb. 14, 2012.

The date of enactment of the FAA Extension, Safety, and Security Act of 2016, referred to in subsec. (f)(1), is the date of enactment of Pub. L. 114–190, which was approved July 15, 2016.

The date of enactment of this subsection, referred to in subsec. (i), is the date of enactment of Pub. L. 118–63, which was approved May 16, 2024.

AMENDMENTS

2024—Pub. L. 118–63, §302(a)(1)(A), substituted “Oversight” for “Inspection” in section catchline.

Subsec. (a). Pub. L. 118–63, §302(a)(1)(B), substituted “The Administrator” for “Not later than 1 year after the date of enactment of this section, the Administrator” in introductory provisions.

Subsec. (a)(3). Pub. L. 118–63, §302(a)(2)(B), substituted “part 145 repair stations” for “covered part 145 repair stations”.

Subsec. (e). Pub. L. 118–63, §302(a)(1)(C), inserted “, without prior notice to such repair stations,” after “annually” and “and the applicable laws of the country in which the repair station is located” after “international agreements” and substituted “The Administrator may carry out announced or unannounced inspections in addition to the annual unannounced inspection required under this subsection based on identified risks and in a manner consistent with United States obligations under international agreements and the applicable laws of the country in which the part 145 repair station is located.” for “The Administrator may

carry out inspections in addition to the annual inspection required under this subsection based on identified risks.”

Subsecs. (g) to (i). Pub. L. 118–63, §302(a)(1)(E), added subsec. (g) to (i). Former subsec. (g) redesignated (j).

Subsec. (j). Pub. L. 118–63, §302(a)(1)(D), redesignated subsec. (g) as (j).

Subsec. (j)(1). Pub. L. 118–63, §302(a)(2)(A)(iii), added par. (1). Former par. (1) redesignated (2).

Pub. L. 118–63, §302(a)(2)(A)(i), substituted “aircraft (including on-wing aircraft engines)” for “aircraft”.

Subsec. (j)(2) to (4). Pub. L. 118–63, §302(a)(2)(A)(ii), redesignated pars. (1) to (3) as (2) to (4), respectively.

2016—Subsec. (f). Pub. L. 114–190, §2112(a)(2), added subsec. (f). Former subsec. (f) redesignated (g).

Subsec. (g). Pub. L. 114–190, §2112(a)(3), added par. (1) and redesignated former pars. (1) and (2) as (2) and (3), respectively.

Pub. L. 114–190, §2112(a)(1), redesignated subsec. (f) as (g).

Statutory Notes and Related Subsidiaries

RULEMAKING ON SECURITY THREAT ASSESSMENT

Pub. L. 118–63, title III, §302(b)(2), (3), May 16, 2024, 138 Stat. 1069, provided that:

“(2) RULEMAKING ON ASSESSMENT REQUIREMENT.—With respect to any employee not covered under the requirements of section 1554.101 of title 49, Code of Federal Regulations, the Administrator [of the Federal Aviation Administration] shall initiate a rulemaking (or request that the head of another Federal agency initiate a rulemaking) that requires a covered repair station to confirm that any such employee has successfully completed an assessment commensurate with a security threat assessment described in subpart C of part 1540 of such title.

“(3) DEFINITION OF COVERED REPAIR STATION.—For purposes of this subsection, the term ‘covered repair station’ means a facility that—

“(A) is located outside the United States;

“(B) is certificated under part 145 of title 14, Code of Federal Regulations; and

“(C) performs heavy maintenance work on aircraft (including on-wing aircraft engines), operated under part 121 of title 14, Code of Federal Regulations.”

ALCOHOL AND CONTROLLED SUBSTANCES TESTING

Pub. L. 118–63, title III, §302(b)(1), May 16, 2024, 138 Stat. 1069, provided that: “Not later than 18 months after the date of enactment of this Act [May 16, 2024], the Administrator [of the Federal Aviation Administration] shall issue a final rule carrying out the requirements of section 2112(b) of the FAA Extension, Safety, and Security Act of 2016 [Pub. L. 114–190] (49 U.S.C. 44733 note).”

Pub. L. 114–190, title II, §2112(b), July 15, 2016, 130 Stat. 628, provided that: “The Administrator of the Federal Aviation Administration shall ensure that—

“(1) not later than 90 days after the date of enactment of this Act [July 15, 2016], a notice of proposed rulemaking required pursuant to section 44733(d)(2) is published in the Federal Register; and

“(2) not later than 1 year after the date on which the notice of proposed rulemaking is published in the Federal Register, the rulemaking is finalized.”

BACKGROUND INVESTIGATIONS

Pub. L. 114–190, title II, §2112(c), July 15, 2016, 130 Stat. 628, provided that: “Not later than 180 days after the date of enactment of this Act [July 15, 2016], the Administrator shall ensure that each employee of a repair station certificated under part 145 of title 14, Code of Federal Regulations, who performs a safety-sensitive function on an air carrier aircraft has undergone a pre-employment background investigation sufficient to determine whether the individual presents a threat to aviation safety, in a manner that is—

“(1) determined acceptable by the Administrator;

“(2) consistent with the applicable laws of the country in which the repair station is located; and

“(3) consistent with the United States obligations under international agreements.”

§ 44734. Training of flight attendants

(a) TRAINING REQUIRED.—In addition to other training required under this chapter, each air carrier shall provide to flight attendants employed or contracted by such air carrier initial and annual training regarding—

- (1) serving alcohol to passengers;
- (2) recognizing intoxicated passengers;
- (3) dealing with disruptive passengers; and
- (4) recognizing and responding to potential human trafficking victims.

(b) SITUATIONAL TRAINING.—In carrying out the training required under subsection (a), each air carrier shall provide to flight attendants situational training on the proper method for dealing with intoxicated passengers who act in a beligerent manner.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) AIR CARRIER.—The term “air carrier” means a person, including a commercial enterprise, that has been issued an air carrier operating certificate under section 44705.

(2) FLIGHT ATTENDANT.—The term “flight attendant” has the meaning given that term in section 44728(g).

(Added Pub. L. 112–95, title III, §309(a), Feb. 14, 2012, 126 Stat. 64; amended Pub. L. 114–190, title II, §2113, July 15, 2016, 130 Stat. 628.)

Editorial Notes

AMENDMENTS

2016—Subsec. (a)(4). Pub. L. 114–190 added par. (4).

§ 44735. Limitation on disclosure of safety information

(a) IN GENERAL.—Except as provided by subsection (c), a report, data, or other information described in subsection (b) shall not be disclosed to the public by the Administrator of the Federal Aviation Administration pursuant to section 552(b)(3)(B) of title 5—

(1) if the report, data, or other information is submitted to the Federal Aviation Administration voluntarily and is not required to be submitted to the Administrator under any other provision of law;

(2) if the report, data, or other information is submitted to the Federal Aviation Administration pursuant to section 102(e) of the Aircraft Certification, Safety, and Accountability Act; or

(3) if the report, data, or other information is submitted for any purpose relating to the development and implementation of a safety management system, including a system required by regulation.

(b) APPLICABILITY.—The limitation established by subsection (a) shall apply to the following:

(1) Reports, data, or other information developed under the Aviation Safety Action Program.

(2) Reports, data, or other information produced or collected under the Flight Operational Quality Assurance Program.