

minimum, the best practices shall address preventing and deterring instances of undue pressure on or by an ODA unit member, within an ODA, or by an ODA holder, or failures to maintain independence between the FAA and an ODA holder or an ODA unit member. In carrying out such review, the Panel shall—

“(1) examine other government regulated industries to gather lessons learned, procedures, or processes that address undue pressure of employees, perceived regulatory coziness, or other failures to maintain independence;

“(2) identify ways to improve communications between an ODA Administrator, ODA unit members, and FAA engineers and inspectors, consistent with section 44736(g) of title 49, United States Code, in order to enable direct communication of technical concerns that arise during a certification project without fear of reprisal to the ODA Administrator or ODA unit member; and

“(3) examine FAA designee programs, including the assignment of FAA advisors to designees, to determine which components of the program may improve the FAA’s oversight of ODA units, ODA unit members, and the ODA program.

“(d) ASSESSMENT AND RECOMMENDATIONS.—The Panel shall assess and make recommendations concerning—

“(1) the FAA’s processes and procedures under the ODA program and whether the processes and procedures function as intended;

“(2) the best practices of and lessons learned by ODA holders and FAA personnel who provide oversight of ODA holders;

“(3) training activities related to the ODA program for FAA personnel and ODA holders;

“(4) the impact, if any, that oversight of the ODA program has on FAA resources and the FAA’s ability to process applications for certifications outside of the ODA program;

“(5) the results of the survey conducted under subsection (b); and

“(6) the results of the review conducted under subsection (c).

“(e) REPORT.—Not later than 180 days after the date the Panel is convened under subsection (a), the Panel shall submit to the Administrator, the Advisory Committee, and the appropriate committees of Congress a report on the findings and recommendations of the Panel.

“(f) DEFINITIONS.—The definitions contained in section 44736 of title 49, United States Code, as added by this Act, apply to this section.

“(g) APPLICABLE LAW.—Public Law 92-463 [Federal Advisory Committee Act, see 5 U.S.C. 1001 et seq.] shall not apply to the Panel.

“(h) BEST PRACTICES ADOPTION.—

“(1) IN GENERAL.—Not later than 180 days after the date on which the Administrator receives the report required under subsection (e), the Administrator shall establish best practices that are generally applicable to all ODA holders and require such practices to be incorporated, as appropriate, into each ODA holder’s approved procedures manual.

“(2) NOTICE AND COMMENT PERIOD.—The Administrator shall publish the established best practices for public notice and comment for not fewer than 60 days prior to requiring the practices, as appropriate, be incorporated into each ODA holder’s approved procedures manual.

“(i) SUNSET.—The Panel shall terminate on the earlier of—

“(1) the date of submission of the report under subsection (e); or

“(2) the date that is 2 years after the date on which the Panel is first convened under subsection (a).”

§ 44737. Helicopter fuel system safety

(a) PROHIBITION.—

(1) IN GENERAL.—A person may not operate a covered helicopter in United States airspace

unless the design of the helicopter is certified by the Administrator of the Federal Aviation Administration to—

(A) comply with the requirements applicable to the category of the helicopter under paragraphs (1), (2), (3), (5), and (6) of section 27.952(a), section 27.952(c), section 27.952(f), section 27.952(g), section 27.963(g) (but allowing for a minimum puncture force of 250 pounds if successfully drop tested in-structure), and section 27.975(b) or paragraphs (1), (2), (3), (5), and (6) of section 29.952(a), section 29.952(c), section 29.952(f), section 29.952(g), section 29.963(b) (but allowing for a minimum puncture force of 250 pounds if successfully drop tested in-structure), and 29.975(a)(7) of title 14, Code of Federal Regulations, as in effect on the date of enactment of this section; or

(B) employ other means acceptable to the Administrator to provide an equivalent level of fuel system crash resistance.

(2) COVERED HELICOPTER DEFINED.—In this subsection, the term “covered helicopter” means a helicopter not otherwise required to comply with section 27.952, section 27.963, and section 27.975, or section 29.952, section 29.963, and section 29.975 of title 14, Code of Federal Regulations as in effect on the date of enactment of this section for which manufacture was completed, as determined by the Administrator, on or after the date that is 18 months after the date of enactment of this section.

(b) ADMINISTRATIVE PROVISIONS.—The Administrator shall—

(1) expedite the certification and validation of United States and foreign type designs and retrofit kits that improve fuel system crashworthiness; and

(2) not later than 180 days after the date of enactment of this section, and periodically thereafter, issue a bulletin to—

(A) inform helicopter owners and operators of available modifications to improve fuel system crashworthiness; and

(B) urge that such modifications be installed as soon as practicable.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the operation of a helicopter by the Department of Defense.

(d) EXCEPTION.—A helicopter issued an experimental certificate under section 21.191 of title 14, Code of Federal Regulations (or any successor regulations), or operating under a Special Flight Permit issued under section 21.197 of title 14, Code of Federal Regulations (or any successor regulations), is excepted from the requirements of this section.

(Added Pub. L. 115-254, div. B, title III, §317(a), Oct. 5, 2018, 132 Stat. 3268; amended Pub. L. 118-63, title VIII, §825, May 16, 2024, 138 Stat. 1332.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section, referred to in text, is the date of enactment of Pub. L. 115-254, which was approved Oct. 5, 2018.

CODIFICATION

Another section 44737 was renumbered section 44740 of this title.

AMENDMENTS

2024—Pub. L. 118–63, § 825(1), substituted “helicopter” for “rotorcraft” wherever appearing in text.

Subsec. (a)(2). Pub. L. 118–63, § 825(2), substituted “helicopter” for “rotorcraft” in heading.

Subsec. (d). Pub. L. 118–63, § 825(3), added subsec. (d).

Statutory Notes and Related Subsidiaries

CRASH-RESISTANT FUEL SYSTEMS IN ROTORCRAFT

Pub. L. 118–63, title III, § 320, May 16, 2024, 138 Stat. 1082, provided that:

“(a) IN GENERAL.—The Administrator [of the Federal Aviation Administration] shall task the Aviation Rulemaking Advisory Committee to—

“(1) review the data analysis conducted and the recommendations developed by the Aviation Rulemaking Advisory Committee Rotorcraft Occupant Protection Working Group of the Administration;

“(2) update the 2018 report of such working group on rotorcraft occupant protection by—

“(A) reviewing National Transportation Safety Board data from 2016 through 2023 on post-crash fires in helicopter accidents; and

“(B) determining whether and to what extent crash-resistant fuel systems could have prevented fatalities in the accidents covered by the data reviewed under subparagraph (A); and

“(3) develop recommendations for either the Administrator or the helicopter industry to encourage helicopter owners and operators to expedite the installation of crash-resistant fuel systems in the aircraft of such owners and operators regardless of original certification and manufacture date.

“(b) SCHEDULE.—

“(1) DEADLINE.—Not later than 18 months after the Administrator tasks the Aviation Rulemaking Advisory Committee under subsection (a), the Committee shall submit the recommendations developed under subsection (a)(2) to the Administrator.

“(2) IMPLEMENTATION.—If applicable, and not later than 180 days after receiving the recommendations under paragraph (1), the Administrator shall—

“(A) begin implementing, as appropriate, any safety recommendations the Administrator receives from the Aviation Rulemaking Advisory Committee, and brief 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] on any recommendations the Administrator does not implement; and

“(B) partner with the United States Helicopter Safety Team, as appropriate, to facilitate implementation of any recommendations for the helicopter industry pursuant to subsection (a)(2).”

§ 44738. Training on human trafficking for certain staff

In addition to other training requirements, each air carrier shall provide training to ticket counter agents, gate agents, and other air carrier workers whose jobs require regular interaction with passengers on recognizing and responding to potential human trafficking victims.

(Added Pub. L. 115–254, div. B, title IV, § 408(a), Oct. 5, 2018, 132 Stat. 3330.)

Statutory Notes and Related Subsidiaries

AIRPORT HUMAN TRAFFICKING PREVENTION GRANTS

Pub. L. 118–63, title VII, § 774A, May 16, 2024, 138 Stat. 1299, provided that:

“(a) IN GENERAL.—The Secretary [of Transportation] shall establish a grant program to provide grants to airports described in subsection (b)(1) to address human trafficking awareness, education, and prevention efforts, including by—

“(1) coordinating human trafficking prevention efforts across multimodal transportation operations within a community; and

“(2) accomplishing the best practices and recommendations provided by the Department of Transportation Advisory Committee on Human Trafficking.

“(b) DISTRIBUTION.—

“(1) IN GENERAL.—The Secretary shall distribute amounts made available for grants under this section to—

“(A) the 75 airports in the United States with the highest number of passenger enplanements annually, based on the most recent data available; and

“(B) as the Secretary determines to be appropriate, an airport not described in subparagraph (A) that serves an area with a high prevalence of human trafficking, on application of the airport.

“(2) PRIORITY; CONSIDERATIONS.—In distributing amounts made available for grants under this section, the Secretary shall—

“(A) give priority in grant amounts to airports referred to in paragraph (1) that serve regions with a higher prevalence of human trafficking; and

“(B) take into consideration the effect the amounts would have on surrounding areas.

“(3) CONSULTATION.—In distributing amounts made available for grants under this section, the Secretary shall consult with the Department of Transportation Advisory Committee on Human Trafficking in determining the amounts to be distributed to each grant recipient to ensure the best use of the funds.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$10,000,000 for each of fiscal years 2025 through 2028.”

§ 44739. Pets on airplanes

(a) PROHIBITION.—It shall be unlawful for any person to place a live animal in an overhead storage compartment of an aircraft operated under part 121 of title 14, Code of Federal Regulations.

(b) CIVIL PENALTY.—The Administrator may impose a civil penalty under section 46301 for each violation of this section.

(Added Pub. L. 115–254, div. B, title IV, § 417(a), Oct. 5, 2018, 132 Stat. 3334.)

§ 44740. Special rule for certain aircraft operations

(a) IN GENERAL.—The operator of an aircraft with a special airworthiness certification in the experimental category may—

(1) operate the aircraft for the purpose of conducting a space support vehicle flight (as that term is defined in section 50902 of title 51); and

(2) conduct such flight under such certificate carrying persons or property for compensation or hire—

(A) notwithstanding any rule or term of a certificate issued by the Administrator of the Federal Aviation Administration that would prohibit flight for compensation or hire; or

(B) without obtaining a certificate issued by the Administrator to conduct air carrier or commercial operations.