trator to accept and review such reports any instances of interference reported under paragraph (1).

(B) CONTENTS.—The Administrator shall prescribe parameters for the submission of reports to the Administration under this paragraph, including the manner, time, and form of submission. Such report shall include the results of any investigation conducted by the ODA holder in response to a report of interference, a description of any action taken by the ODA holder as a result of the report of interference, and any other information or potentially mitigating factors the ODA holder or the Administrator deems appropriate.

(d) DEFINITIONS.—

(1) GENERAL APPLICABILITY.—The definitions contained in section 44736(c) shall apply to this section.

(2) INTERFERENCE.—In this section, the term ''interference'' means—

(A) blatant or egregious statements or behavior, such as harassment, beratement, or threats, that a reasonable person would conclude was intended to improperly influence or prejudice an ODA unit member's performance of his or her duties; or

(B) the presence of non-ODA unit duties or activities that conflict with the performance of authorized functions by ODA unit members.

(Added Pub. L. 116–260, div. V, title I, §107(a), Dec. 27, 2020, 134 Stat. 2323.)

§ 44743. Pilot training requirements

(a) IN GENERAL.—

(1) ADMINISTRATOR'S DETERMINATION.—In establishing any pilot training requirements with respect to a new transport airplane, the Administrator of the Federal Aviation Administration shall independently review any proposal by the manufacturer of such airplane with respect to the scope, format, or minimum level of training required for operation of such airplane.

(2) ASSURANCES AND MARKETING REPRESENTATIONS.—Before the Administrator has established applicable training requirements, an applicant for a new or amended type certificate for an airplane described in paragraph (1) may not, with respect to the scope, format, or magnitude of pilot training for such airplane—

(A) make any assurance or other contractual commitment, whether verbal or in writing, to a potential purchaser of such airplane unless a clear and conspicuous disclaimer (as defined by the Administrator) is included regarding the status of training required for operation of such airplane; or

(B) provide financial incentives (including rebates) to a potential purchaser of such airplane regarding the scope, format, or magnitude of pilot training for such airplane.

(b) PILOT RESPONSE TIME.—Beginning on the day after the date on which regulations are issued under section 119(c)(6) of the Aircraft Certification, Safety, and Accountability Act, the Administrator may not issue a new or amended type certificate for an airplane described in subsection (a) unless the applicant for such certificate has demonstrated to the Administrator that the applicant has accounted for realistic assumptions regarding the time for pilot responses to non-normal conditions in designing the systems and instrumentation of such airplane. Such assumptions shall—

(1) be based on test data, analysis, or other technical validation methods; and

(2) account for generally accepted scientific consensus among experts in human factors regarding realistic pilot response time.

(c) DEFINITION.—In this section, the term ''transport airplane'' means a transport category airplane designed for operation by an air carrier or foreign air carrier type-certificated with a passenger seating capacity of 30 or more or an all-cargo or combi derivative of such an airplane.

(Added Pub. L. 116–260, div. V, title I, §119(a), Dec. 27, 2020, 134 Stat. 2338.)

REFERENCES IN TEXT

Section 119(c) of the Aircraft Certification, Safety, and Accountability Act, referred to in subsec. (b), is section 119(c) of title I of Pub. L. 116–260, div. V, Dec. 27, 2020, 134 Stat. 2339, which is set out as a note under section 44704 of this title.

§ 44744. Flight crew alerting

(a) IN GENERAL.—Beginning on December 27, 2022, the Administrator may not issue a type certificate for a transport category airplane unless such airplane incorporates a flight crew alerting system that, at a minimum—

(1) displays and differentiates among warnings, cautions, and advisories; and

(2) includes functions to assist the flight crew in prioritizing corrective actions and responding to systems failures.

(b) LIMITATION.—The prohibition in subsection (a) shall not apply to any application for an original or amended type certificate that was submitted to the Administrator prior to December 27, 2020.

(c) SAFETY ENHANCEMENTS.—

(1) RESTRICTION ON AIRWORTHINESS CERTIFICATE ISSUANCE.—Beginning on the date that is 1 year after the date on which the Administrator issues a type certificate for the Boeing 737-10, the Administrator may not issue an original airworthiness certificate for any Boeing 737 MAX aircraft unless the Administrator finds that the type design for the aircraft includes safety enhancements that have been approved by the Administrator.

(2) RESTRICTION ON OPERATION.—Beginning on the date that is 3 years after the date on which the Administrator issues a type certificate for the Boeing 737-10, no person may operate a Boeing 737 MAX aircraft unless—

(A) the type design for the aircraft includes safety enhancements approved by the Administrator; and

(B) the aircraft was—

(i) produced in conformance with such type design; or

(ii) altered in accordance with such type design.

(d) DEFINITIONS.—In this section:

(1) BOEING 737 MAX AIRCRAFT.—The term ''Boeing 737 MAX aircraft'' means any—

(A) Model 737 series aircraft designated as a 737-7, 737-8, 737-8200, 737-9, or 737-10; or

(B) other variant of a model described in subparagraph (A).

(2) SAFETY ENHANCEMENT.—The term ''safety enhancement'' means any design change to the flight crew alerting system approved by the Administrator for the Boeing 737-10, including—

(A) a—

(i) synthetic enhanced angle-of-attack system; and

(ii) means to shut off stall warning and overspeed alerts; or

(B) any design changes equivalent to subparagraph (A) determined appropriate by the Administrator.

(Added Pub. L. 117–328, div. O, title V, § 501(a), Dec. 29, 2022, 136 Stat. 5230.)

Statutory Notes and Related Subsidiaries

COSTS OF SAFETY ENHANCEMENTS

Pub. L. 117–328, div. O, title V, § 501(c), Dec. 29, 2022, 136 Stat. 5231, provided that: ''Any costs associated with the safety enhancements required by section 44744 of title 49, United States Code, as added by subsection (a), shall be borne by the holder of the type certificate.''

CONGRESSIONAL BRIEFINGS

Pub. L. 117–328, div. O, title V, § 501(d), Dec. 29, 2022, 136 Stat. 5231, provided that: ''Not later than March 1, 2023, and on a quarterly basis thereafter, the Administrator shall brief Congress on the status of—

''(1) the issuance of a type certificate for the Boeing 737-7 and 737-10, including any design enhancements, pilot procedures, or training requirements resulting from system safety assessments; and

''(2) the implementation of safety enhancements for Boeing 737 MAX aircraft, as required by section 44744 of title 49, United States Code, as added by subsection (a).''

§ 44745. Don Young Alaska Aviation Safety Initiative

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall redesignate the FAA Alaska Aviation Safety Initiative of the Administration as the Don Young Alaska Aviation Safety Initiative (in this section referred to as the ''Initiative''), under which the Administrator shall carry out the provisions of this section and take such other actions as the Administrator determines appropriate to improve aviation safety in Alaska and covered locations.

(b) OBJECTIVE.—The objective of the Initiative shall be to work cooperatively with aviation stakeholders and other stakeholders towards the goal of—

(1) reducing the rate of fatal aircraft accidents in Alaska and covered locations by 90 percent from 2019 to 2033; and

(2) by January 1, 2033, eliminating fatal accidents of aircraft operated by an air carrier that operates under part 135 of title 14, Code of Federal Regulations.

(c) LEADERSHIP.—

(1) IN GENERAL.—The Administrator shall designate the Regional Administrator for the Alaskan Region of the Administration to serve as the Director of the Initiative.

(2) COVERED LOCATIONS.—The Administrator shall select a designee within the Aviation Safety Organization to implement relevant requirements of this section in covered locations.

(3) REPORTING CHAIN.—In all matters relating to the Initiative, the Director of the Initiative shall report directly to the Administrator.

(4) COORDINATION.—The Director of the Initiative shall coordinate with the heads of other offices and lines of business of the Administration, including the other regional administrators, to carry out the Initiative.

(d) AUTOMATED WEATHER SYSTEMS.—

(1) REQUIREMENT.—The Administrator shall ensure, to the greatest extent practicable, that a covered automated weather system is installed and operated at each covered airport not later than December 31, 2030.

(2) WAIVER.—In complying with the requirement under paragraph (1), the Administrator may waive any positive benefit-cost ratio requirement for the installation and operation of a covered automated weather system.

(3) PRIORITIZATION.—In developing the installation timeline of a covered automated weather system at a covered airport pursuant to this subsection, the Administrator shall—

(A) coordinate and consult with the governments with jurisdiction over Alaska and covered locations, covered airports, air carriers operating in Alaska or covered locations, private pilots based in Alaska or a covered location, and such other members of the aviation community in Alaska or covered locations; and

(B) prioritize early installation at covered airports that would enable the greatest number of instrument flight rule operations by air carriers operating under part 121 or 135 of title 14, Code of Federal Regulations.

(4) RELIABILITY.—

(A) IN GENERAL.—Pertaining to both Federal and non-Federal systems in Alaska, the Administrator shall be responsible for ensuring—

(i) the reliability of covered automated weather systems; and

(ii) the availability of weather information from such systems.

(B) SPECIFICATIONS.—The Administrator shall establish data availability and equipment reliability specifications for covered automated weather systems.

(C) SYSTEM RELIABILITY AND RESTORATION PLAN.—Not later than 2 years after the date of enactment of this section, the Administrator shall establish an automated weather system reliability and restoration plan for Alaska. Such plan shall document the Administrator's strategy for ensuring covered automated weather system reliability, including the availability of weather information from such system, and for restoring service in as little time as possible.