

(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.

(D) TELECOMMUNICATIONS OR OTHER FAILURES.—If a covered automated weather system in Alaska is unable to broadly disseminate weather information due to a telecommunications failure or a failure other than an equipment failure, the Administrator shall take such actions as may be necessary to restore the full functionality and connectivity of the covered automated weather system. The Administrator shall take actions under this subparagraph with the same urgency as the Administrator would take an action to repair a covered automated weather system equipment failure or data fidelity issue.

(E) RELIABILITY DATA.—In tabulating data relating to the operational status of covered automated weather systems (including individually or collectively), the Administrator may not consider a covered automated weather system that is functioning nominally but is unable to broadly disseminate weather information telecommunications failure or a failure other than an equipment failure as functioning reliably.

(5) INVENTORY.—

(A) MAINTENANCE IMPROVEMENTS.—

(i) IN GENERAL.—Not later than 18 months after the date of enactment of the FAA Reauthorization Act of 2024, the Administrator shall identify and implement reasonable alternative actions to improve maintenance of FAA-owned weather observing systems that experience frequent service outages, including associated surface communication outages, at covered airports.

(ii) SPARE PARTS AVAILABILITY.—The actions identified by the Administrator in clause (i) shall improve spare parts availability, including consideration of storage of more spare parts in the region in which the systems are located.

(B) NOTICE OF OUTAGES.—Not later than 18 months after the date of enactment of the FAA Reauthorization Act of 2024, the Administrator shall update FAA Order 7930.2 Notices to Air Missions, or any successive order, to incorporate weather system outages for automated weather observing systems and automated surface observing systems associated with Service A Outages at covered airports.

(6) VISUAL WEATHER OBSERVATION SYSTEM.—

(A) DEPLOYMENT.—Not later than 3 years after the date of enactment of the FAA Reauthorization Act of 2024, the Administrator shall take such actions as may be necessary to—

(i) deploy visual weather observation systems;

(ii) ensure that such systems are capable of meeting the definition of a covered automated weather system in Alaska; and

(iii) develop standard operation specifications for visual weather operation systems.

(B) MODIFICATION OF SPECIFICATIONS.—Upon the request of an aircraft operator, the

Administrator shall issue or modify the standard operation specifications for visual weather observation systems developed under subparagraph (A) to allow such systems to be used to satisfy the requirements for supplemental noncertified local weather observations under section 322 of the FAA Reauthorization Act of 2018 (Public Law 115-254).

(e) WEATHER CAMERAS.—

(1) IN GENERAL.—The Director shall continuously assess the state of the weather camera systems in Alaska and covered locations to ensure the operational sufficiency and reliability of such systems.

(2) APPLICATIONS.—The Director shall—

(A) accept applications from persons to install weather cameras; and

(B) 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 covered locations, and such other members of the aviation community in Alaska and covered locations as the Administrator determines appropriate to solicit additional locations at which to install and operate weather cameras.

(3) PRESUMPTION.—Unless the Director has clear and compelling evidence to the contrary, the Director shall presume that the installation of a weather camera at a covered airport in Alaska, or that is recommended by a government with jurisdiction over a covered location, is cost beneficial and will improve aviation safety.

(f) COOPERATION WITH OTHER AGENCIES.—In carrying out this section, the Administrator shall cooperate with the heads of other Federal or State agencies with responsibilities affecting aviation safety in Alaska and covered locations, including the collection and dissemination of weather data.

(g) SURVEILLANCE AND COMMUNICATION.—

(1) IN GENERAL.—The Director shall take such actions as may be necessary to—

(A) encourage and incentivize the equipage of aircraft that operate under part 135 of title 14, Code of Federal Regulations, with automatic dependent surveillance and broadcast out equipment; and

(B) improve aviation surveillance and communications in Alaska and covered locations.

(2) REQUIREMENT.—Not later than December 31, 2030, the Administrator shall ensure that automatic dependent surveillance and broadcast coverage is available at 5,000 feet above ground level throughout each covered location and Alaska.

(3) WAIVER.—The Administrator shall waive any positive benefit-cost ratio requirement for—

(A) the installation and operation of equipment and facilities necessary to implement the requirement under paragraph (2); and

(B) the provision of additional ground-based transmitters for automatic dependent surveillance-broadcasts to provide a min-

imum operational network in Alaska along major flight routes.

(4) SERVICE AREAS.—The Director shall continuously identify additional automatic dependent surveillance–broadcast service areas in which the deployment of automatic dependent surveillance–broadcast receivers and equipment would improve aviation safety.

(h) OTHER PROJECTS.—The Director shall continue to build upon other initiatives recommended in the reports of the FAA Alaska Aviation Safety Initiative of the Administration published before the date of enactment of this section.

(i) ANNUAL REPORT.—

(1) IN GENERAL.—Beginning on the date that is 1 year after the date of enactment of the FAA Reauthorization Act of 2024, and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the Initiative, including an itemized description of how the Administration budget meets the goals of the Initiative.

(2) STAKEHOLDER COMMENTS.—The Director shall append stakeholder comments, organized by topic, to each report submitted under paragraph (1) in the same manner as appendix 3 of the report titled “FAA Alaska Aviation Safety Initiative FY21 Final Report”, dated September 30, 2021.

(j) FUNDING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for each of fiscal years 2025 through 2028—

(A) the Administrator may, upon application from the government with jurisdiction over a covered airport and in coordination with the State or territory in which a covered airport is located, use amounts apportioned under subsection (d)(2)(B) or subsection (e) of section 47114 to carry out the Initiative; or

(B) the sponsor of a covered airport that receives an apportionment under subsection (d)(2)(A) or subsection (e) of section 47114 may use such apportionment for any purpose contained in this section.

(2) SUPPLEMENTAL FUNDING.—Out of amounts made available under section 106(k) and section 48101, not more than a total of \$25,000,000 for each of fiscal years 2025 through 2028 is authorized to be expended to carry out the Initiative.

(k) DEFINITIONS.—In this section:

(1) COVERED AIRPORT.—The term “covered airport” means an airport in Alaska or a covered location that is included in the national plan of integrated airport systems required under section 47103 and that has a status other than unclassified in such plan.

(2) COVERED AUTOMATED WEATHER SYSTEM.—The term “covered automated weather system” means an automated or visual weather reporting facility that enables a pilot to begin an instrument procedure approach to an airport under section 91.1039 or 135.225 of title 14, Code of Federal Regulations.

(3) COVERED LOCATION.—The term “covered location” means Hawaii, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands.

(l) CONFORMITY.—The Administrator shall conduct all activities required under this section in conformity with section 44720.

(Added Pub. L. 118–63, title III, §342(a), May 16, 2024, 138 Stat. 1095.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section and the date of enactment of the FAA Reauthorization Act of 2024, referred to in subsecs. (d)(4)(C), (5)(A)(i), (B), (6)(A), (h), and (i)(1), is the date of enactment of Pub. L. 118–63, which was approved May 16, 2024.

Section 322 of the FAA Reauthorization of 2018, referred to in subsec. (d)(6)(B), is section 322 of Pub. L. 115–254, which is set out as a note under section 44720 of this title.

§ 44746. Flight data recovery from overwater operations

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall complete a rulemaking proceeding to require that, not later than 5 years after the date of enactment of this section, all applicable aircraft are—

(1) fitted with a means, in the event of an accident, to recover mandatory flight data parameters in a manner that does not require the underwater retrieval of the cockpit voice recorder or flight data recorder;

(2) equipped with a tamper-resistant method to broadcast sufficient information to a ground station to establish the location where an applicable aircraft terminates flight as the result of such an event; and

(3) equipped with an airframe low-frequency underwater locating device that functions for at least 90 days and that can be detected by appropriate equipment.

(b) APPLICABLE AIRCRAFT DEFINED.—In this section, the term “applicable aircraft” means an aircraft manufactured on or after January 1, 2028, that is—

(1) operated under part 121 of title 14, Code of Federal Regulations;

(2) required by regulation to have a cockpit voice recorder and a flight data recorder; and

(3) used in extended overwater operations.

(Added Pub. L. 118–63, title III, §352(a), May 16, 2024, 138 Stat. 1112.)

Editorial Notes

REFERENCES IN TEXT

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

§ 44747. Aviation safety oversight measures carried out by foreign countries

(a) ASSESSMENT.—

(1) IN GENERAL.—On a regular basis, the Administrator, in consultation with the Sec-