

make a project grant out of funds apportioned under paragraph (1) or paragraph (2) of section 47114(c) to not more than 5 eligible sponsors to acquire and install qualifying non-movement area surveillance surface display systems and sensors. The airports selected to participate in the pilot program shall have existing Administration movement area systems and airlines that are participants in Federal Aviation Administration's airport collaborative decision-making process.

(2) **DATA EXCHANGE PROCESSES.**—As part of the pilot program carried out under this section, the Administrator may establish data exchange processes to allow airport participation in the Administration's airport collaborative decision-making process and fusion of the non-movement surveillance data with the Administration's movement area systems.

(c) **SUNSET.**—This section shall cease to be effective on October 1, 2028.

(d) **DEFINITIONS.**—In this section:

(1) **NON-MOVEMENT AREA.**—The term “non-movement area” means the portion of the airfield surface that is not under the control of air traffic control.

(2) **NON-MOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEMS AND SENSORS.**—The term “non-movement area surveillance surface display systems and sensors” means a non-Federal surveillance system that uses on-airport sensors that track vehicles or aircraft that are equipped with transponders in the non-movement area.

(3) **QUALIFYING NON-MOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEM AND SENSORS.**—The term “qualifying non-movement area surveillance surface display system and sensors” means a non-movement area surveillance surface display system that—

(A) provides the required transmit and receive data formats consistent with the National Airspace System architecture at the appropriate service delivery point;

(B) is on-airport; and

(C) is airport operated.

(Added Pub. L. 115-254, div. B, title I, §140(a), Oct. 5, 2018, 132 Stat. 3210; amended Pub. L. 118-15, div. B, title II, §2202(i), Sept. 30, 2023, 137 Stat. 83; Pub. L. 118-34, title I, §102(i), Dec. 26, 2023, 137 Stat. 1113; Pub. L. 118-41, title I, §102(i), Mar. 8, 2024, 138 Stat. 21; Pub. L. 118-63, title VII, §724, May 16, 2024, 138 Stat. 1267.)

Editorial Notes

AMENDMENTS

2024—Subsec. (c). Pub. L. 118-63 substituted “October 1, 2028” for “May 11, 2024”.

Pub. L. 118-41 substituted “May 11, 2024” for “March 9, 2024”.

2023—Subsec. (c). Pub. L. 118-34 substituted “March 9, 2024” for “January 1, 2024”.

Pub. L. 118-15 substituted “January 1, 2024” for “October 1, 2023”.

§ 47144. Use of funds for repairs for runway safety repairs

(a) **IN GENERAL.**—The Secretary of Transportation may make project grants under this subchapter to an airport described in subsection (b)

from funds under section 47114 apportioned to that airport or funds available for discretionary grants to that airport under section 47115 to conduct airport development to repair the runway safety area of the airport damaged as a result of a natural disaster in order to maintain compliance with the regulations of the Federal Aviation Administration relating to runway safety areas, without regard to whether construction of the runway safety area damaged was carried out using amounts the airport received under this subchapter.

(b) **AIRPORTS DESCRIBED.**—An airport is described in this subsection if—

(1) the airport is a public-use airport;

(2) the airport is listed in the National Plan of Integrated Airport Systems of the Federal Aviation Administration;

(3) the runway safety area of the airport was damaged as a result of a natural disaster;

(4) the airport was denied funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) with respect to the disaster;

(5) the operator of the airport has exhausted all legal remedies, including legal action against any parties (or insurers thereof) whose action or inaction may have contributed to the need for the repair of the runway safety area;

(6) there is still a demonstrated need for the runway safety area to accommodate current or imminent aeronautical demand; and

(7) the cost of repairing or replacing the runway safety area is reasonable in relation to the anticipated operational benefit of repairing the runway safety area, as determined by the Administrator of the Federal Aviation Administration.

(Added Pub. L. 115-31, div. K, title I, §119F(a), May 5, 2017, 131 Stat. 734; amended Pub. L. 118-63, title XI, §1101(w), May 16, 2024, 138 Stat. 1414.)

Editorial Notes

REFERENCES IN TEXT

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsec. (b)(4), is Pub. L. 93-288, May 22, 1974, 88 Stat. 143, which is classified principally to chapter 68 (§5121 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

CODIFICATION

Section 119F(a) of Pub. L. 115-31, which directed amendment of “subchapter I of chapter 471” by adding at the end this section, was executed by adding this section at the end of subchapter I of chapter 471 of this title to reflect the probable intent of Congress.

AMENDMENTS

2024—Subsec. (b)(4). Pub. L. 118-63 substituted “(42 U.S.C. 5121 et seq.)” for “(42 U.S.C. 4121 et seq.)”.

§ 47145. Pilot program for airport accessibility

(a) **IN GENERAL.**—The Secretary of Transportation shall establish and carry out a pilot program to award grants to sponsors to carry out capital projects to upgrade the accessibility of commercial service airports for individuals with

disabilities by increasing the number of commercial service airports, airport terminals, or airport facilities that meet or exceed the standards and regulations under the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.)¹ and the Rehabilitation Act of 1973 (29 U.S.C. 701 note).¹

(b) USE OF FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), a sponsor shall use a grant awarded under this section—

(A) for a project to repair, improve, or relocate the infrastructure of an airport, airport terminal, or airport facility to increase accessibility for individuals with disabilities, or as part of a plan to increase accessibility for individuals with disabilities;

(B) to develop or modify a plan (as described in subsection (e)) for a project that increases accessibility for individuals with disabilities, including—

(i) assessments of accessibility or assessments of planned modifications to an airport, airport terminal, or airport facility for passenger use, performed by the disability advisory committee of the recipient airport (if applicable), the protection and advocacy system for individuals with disabilities in the applicable State, a center for independent living, or a disability organization, including an advocacy or nonprofit organization that represents or provides services to individuals with disabilities; or

(ii) coordination by the disability advisory committee of the recipient airport with a protection and advocacy system, center for independent living, or such disability organization; or

(C) to carry out any other project that meets or exceeds the standards and regulations described in subsection (a).

(2) LIMITATION.—Eligible costs for a project funded with a grant awarded under this section shall be limited to the costs associated with carrying out the purpose authorized under subsection (a).

(c) ELIGIBILITY.—A sponsor may use a grant under this section to upgrade a commercial service airport that is accessible to and usable by individuals with disabilities—

(1) consistent with the current (as of the date of the upgrade) standards and regulations described in subsection (a); and

(2) even if the related service, program, or activity, when viewed in the entirety of the service, program, or activity, is readily accessible and usable as so described.

(d) SELECTION CRITERIA.—In making grants to sponsors under this section, the Secretary shall give priority to sponsors that are proposing—

(1) a capital project to upgrade the accessibility of a commercial service airport that is not accessible to and usable by individuals with disabilities consistent with standards and regulations described in subsection (a); or

(2) to meet or exceed the Airports Council International accreditation under the Accessi-

bility Enhancement Accreditation, through the incorporation of universal design principles.

(e) ACCESSIBILITY COMMITMENT.—A sponsor that receives a grant under this section shall adopt a plan under which the sponsor commits to pursuing airport accessibility projects that—

(1) enhance the passenger experience and maximize accessibility of commercial service airports, airport terminals, or airport facilities for individuals with disabilities, including by—

(A) upgrading bathrooms, counters, or pumping rooms;

(B) increasing audio and visual accessibility on information boards, security gates, or paging systems;

(C) updating airport terminals to increase the availability of accessible seating and power outlets for durable medical equipment (such as powered wheelchairs);

(D) updating airport websites and other information communication technology to be accessible for individuals with disabilities; or

(E) increasing the number of elevators, including elevators that move power wheelchairs to an aircraft;

(2) improve the operations of, provide efficiencies of service to, and enhance the use of commercial service airports for individuals with disabilities;

(3) establish a disability advisory committee if the airport is a small, medium, or large hub airport; and

(4) make improvements in personnel, infrastructure, and technology that can assist passenger self-identification regarding disability and needing assistance.

(f) COORDINATION WITH DISABILITY ADVOCACY ENTITIES.—In administering grants under this section, the Secretary shall encourage—

(1) engagement with disability advocacy entities (such as the disability advisory committee of the sponsor) and a protection and advocacy system for individuals with disabilities in the applicable State, a center for independent living, or a disability organization, including an advocacy or nonprofit organization that represents or provides services to individuals with disabilities; and

(2) assessments of accessibility or assessments of planned modifications to commercial service airports to the extent merited by the scope of the capital project of the sponsor proposed to be assisted under this section, taking into account any such assessment already conducted by the Federal Aviation Administration.

(g) FEDERAL SHARE OF COSTS.—The Government's share of allowable project costs for a project carried out with a grant under this section shall be the Government's share of allowable project costs specified under section 47109.

(h) DEFINITIONS.—In this section:

(1) CENTER FOR INDEPENDENT LIVING.—The term “center for independent living” has the meaning given such term in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a).

¹ See References in Text note below.

(2) **DISABILITY ADVISORY COMMITTEE.**—The term “disability advisory committee” means a body of stakeholders (including airport staff, airline representatives, and individuals with disabilities) that provide to airports and appropriate transportation authorities input from individuals with disabilities, including identifying opportunities for removing barriers, expanding accessibility features, and improving accessibility for individuals with disabilities at airports.

(3) **PROTECTION AND ADVOCACY SYSTEM.**—The term “protection and advocacy system” means a system established in accordance with section 143 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15043).

(i) **FUNDING.**—Notwithstanding any other provision of this chapter, for each of fiscal years 2025 through 2028, the Secretary may use up to \$20,000,000 of the amounts that would otherwise be used to make grants from the discretionary fund under section 47115 for each such fiscal year to carry out this section.

(Added Pub. L. 118–63, title VII, §725(a), May 16, 2024, 138 Stat. 1267.)

Editorial Notes

REFERENCES IN TEXT

The Americans with Disabilities Act of 1990, referred to in subsec. (a), is Pub. L. 101–336, July 26, 1990, 104 Stat. 327, which is classified principally to chapter 126 (§12101 et seq.) of Title 42, The Public Health and Welfare. Title II of the Act is classified generally to subchapter II (§12131 et seq.) of chapter 126 of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 12101 of Title 42 and Tables.

The Rehabilitation Act of 1973, referred to in subsec. (a), is Pub. L. 93–112, Sept. 26, 1973, 87 Stat. 355, which is classified generally to chapter 16 (§701 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 701 of Title 29 and Tables.

§ 47146. General aviation program runway extension pilot program

(a) **ESTABLISHMENT.**—The Secretary of Transportation shall establish and carry out a pilot program to provide grants to general aviation airports to increase the usable runway length capability at such airports in order to—

(1) expand access to such airports for larger aircraft; and

(2) support the development and economic viability of such airports.

(b) **GRANTS.**—

(1) **IN GENERAL.**—For the purpose of carrying out the pilot program established in subsection (a), the Secretary shall make grants to not more than 2 sponsors of general aviation airports per fiscal year.

(2) **USE OF FUNDS.**—A sponsor of a general aviation airport shall use a grant awarded under this section to plan, design, or construct a project to extend an existing primary runway by not greater than 1,000 feet in order to accommodate large turboprop or turbojet aircraft that cannot be accommodated with the existing runway length.

(3) **ELIGIBILITY.**—To be eligible to receive a grant under this section, a sponsor of a general aviation airport shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require.

(4) **SELECTION.**—In selecting an applicant for a grant under this section, the Secretary shall prioritize projects that demonstrate that the existing runway length at the airport is—

(A) inadequate to support the near-term operations of 1 or more business entities operating at the airport as of the date of submission of such application;

(B) a direct aircraft operational impediment to airport economic viability, job creation or retention, or local economic development; and

(C) not located within 20 miles of another National Plan of Integrated Airport Systems airport with comparable runway length.

(c) **PROJECT JUSTIFICATION.**—A project that demonstrates the criteria described in subsection (b) shall be considered a justified cost with respect to the pilot program, notwithstanding—

(1) any benefit-cost analysis required under section 47115(d); or

(2) a project justification determination described in section 3 of chapter 3 of FAA Order 5100.38D, Airport Improvement Program Handbook (dated September 30, 2014) (or any successor document).

(d) **FEDERAL SHARE.**—The Government’s share of allowable project costs for a project carried out with a grant under this section shall be the Government’s share of allowable project costs specified under section 47109.

(e) **REPORT TO CONGRESS.**—Not later than 5 years after the establishment of the pilot program under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that evaluates the pilot program, including—

(1) information regarding the level of applicant interest in grants for increasing runway length;

(2) the number of large aircraft that accessed each general aviation airport that received a grant under the pilot program in comparison to the number of such aircraft that accessed the airport prior to the date of enactment of the FAA Reauthorization Act of 2024, based on data provided to the Secretary by the airport sponsor not later than 6 months before the submission date described in this subsection; and

(3) a description, provided to the Secretary by the airport sponsor not later than 6 months before the submission date described in this subsection, of the economic development opportunities supported by increasing the runway length at general aviation airports.

(f) **FUNDING.**—For each of fiscal years 2025 through 2028, the Secretary may use funds under section 47116(b)(2) to carry out this section.

(Added Pub. L. 118–63, title VII, §726(a), May 16, 2024, 138 Stat. 1269.)