

H.R.915

FAA Reauthorization Act of 2009 (Introduced in House)

SEC. 506. PROHIBITION ON OPERATING CERTAIN AIRCRAFT WEIGHING 75,000 POUNDS OR LESS NOT COMPLYING WITH STAGE 3 NOISE LEVELS.

(a) In General- Subchapter II of chapter 475 is amended by adding at the end the following:

`Sec. 47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with stage 3 noise levels

`(a) Prohibition- Except as provided in subsection (b), (c), or (d), after December 31, 2013, a person may not operate a civil subsonic jet airplane with a maximum weight of 75,000 pounds or less, and for which an airworthiness certificate (other than an experimental certificate) has been issued, to or from an airport in the United States unless the Secretary of Transportation finds that the aircraft complies with stage 3 noise levels.

`(b) Exception- Subsection (a) shall not apply to aircraft operated only outside the 48 contiguous States.

`(c) Exceptions- The Secretary may allow temporary operation of an airplane otherwise prohibited from operation under subsection (a) to or from an airport in the contiguous United States by granting a special flight authorization for one or more of the following circumstances:

`(1) To sell, lease, or use the aircraft outside the 48 contiguous States.

`(2) To scrap the aircraft.

`(3) To obtain modifications to the aircraft to meet stage 3 noise levels.

`(4) To perform scheduled heavy maintenance or significant modifications on the aircraft at a maintenance facility located in the contiguous 48 States.

`(5) To deliver the aircraft to an operator leasing the aircraft from the owner or return the aircraft to the lessor.

`(6) To prepare, park, or store the aircraft in anticipation of any of the activities described in paragraphs (1) through (5).

`(7) To provide transport of persons and goods in the relief of emergency situations.

`(8) To divert the aircraft to an alternative air port in the 48 contiguous States on account of weather, mechanical, fuel, air traffic control, or other safety reasons while conducting a flight in order to perform any of the activities described in paragraphs (1) through (7).

`(d) Statutory Construction- Nothing in the section may be construed as interfering with, nullifying, or otherwise affecting determinations made by the Federal Aviation Administration, or to be made by the Administration, with

respect to applications under part 161 of title 14, Code of Federal Regulations, that were pending on the date of enactment of this section.'.

(b) Conforming Amendments-

(1) Section 47531 is amended--

(A) in the section heading by striking `**for violating sections 47528-47530**'; and

(B) by striking `47529, or 47530' and inserting `47529, 47530, or 47534'.

(2) Section 47532 is amended by inserting `or 47534' after `47528-47531'.

(3) The analysis for chapter 475 is amended--

(A) by striking the item relating to section 47531 and inserting the following:

`47531. Penalties.';

and

(B) by inserting after the item relating to section 47533 the following:

`47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with stage 3 noise levels.'.