



# The FAA Reauthorization Act of 2018

*Summarizing Division B of H.R. 302, as amended*



HOUSE TRANSPORTATION & INFRASTRUCTURE COMMITTEE





## **The FAA REAUTHORIZATION ACT of 2018:**

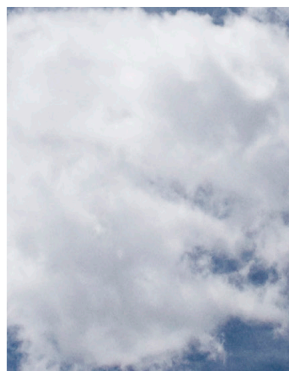
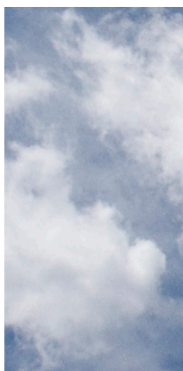
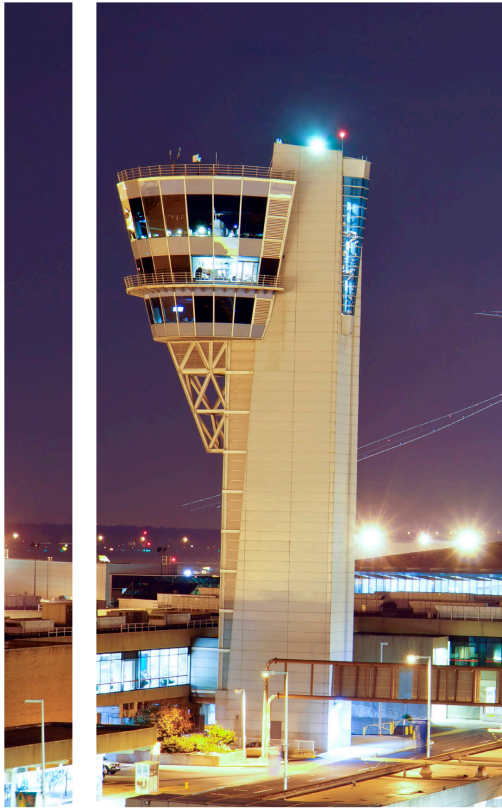
### **Introduction**

America pioneered modern aviation. Ever since the Wright Brothers first flew at Kitty Hawk, we have led the world in moving people and goods by air. Today, aviation helps drive the U.S. economy, accounting for millions of American jobs and over 5% of our Nation's GDP. The U.S. aviation system and aerospace industry will benefit from the stability provided by a long-term reauthorization of the FAA's programs and policies.



The FAA Reauthorization Act of 2018 is a five-year reauthorization of the Federal Aviation Administration (FAA) that:

- Keeps our Nation in the lead in aviation by putting American jobs, American innovation, and the traveling public first.
- Cuts Washington red tape so that our manufacturers can get products to market on time, stay competitive globally, and continue to employ millions of Americans.
- Encourages American innovation in aviation technologies to promote a stronger American workforce.
- Ensures that our airport infrastructure connects our businesses and the increasing number of air travelers to the world.
- Gives the American traveling public a better flight experience.
- Ensures our system remains as safe as possible for the American traveler and addresses factors related to recent incidents.







## IMPROVING AMERICA'S COMPETITIVENESS:

### Streamlining and Reforming the FAA Certification and Regulatory Processes

The U.S. aviation and aerospace manufacturing industry is a critical sector of our economy, contributing billions of dollars and supporting millions of good paying jobs.

All aircraft and aviation products are subject to FAA certification prior to their sale and use. Consequently, the FAA's certification processes have a significant impact on our Nation's ability to innovate, manufacture, market, and operate the most advanced, safest products. Today, as U.S. aviation manufacturers face intensifying competition from manufacturers in other countries, such as China, France, Brazil, and Canada, unnecessary delays in the FAA's certification processes create a significant disadvantage in an increasingly competitive global market.

The FAA bureaucracy and red tape in the certification of aviation technologies not only stifle domestic innovation and undermine our competitiveness, they put American jobs at risk.

For example, according to a manufacturing association, one company calculated in 2016 that a delay on a major aircraft certification project cost it approximately \$10 million each month of delay. Another reported that it took a charter company that moved an aircraft to a different FAA region five weeks, \$25,000 in costs, and \$200,000 in forgone revenue to get the aircraft placed on their operating certificate.

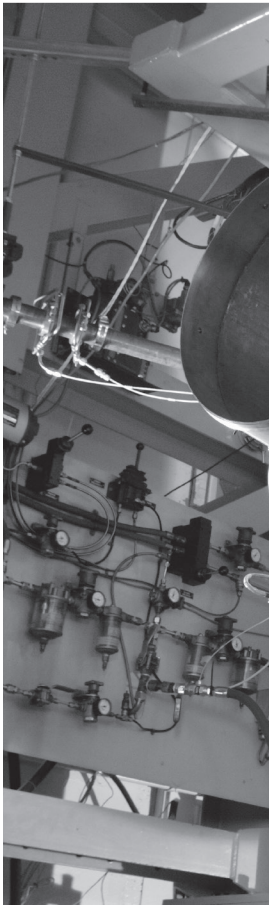
While the United States has been the gold standard in global aviation, we are quickly losing our lead. Other countries view their aerospace and aviation manufacturing sectors as economic

engines and support them with favorable policies.

The FAA must continue to ensure the safety of the system, but the agency's certification and regulatory processes must become more streamlined than those currently in place. Under the status quo, our lead in the aviation industry will continue to dwindle, and may vanish, just as in other industries we once led during the last century.

**The FAA Reauthorization Act:**

- Streamlines the FAA certification process to ensure U.S. companies can compete globally and get their products to market on time.
- Creates a "Safety Oversight and Certification Advisory Committee" (SOCAC). The SOCAC will make recommendations to:
  - » Closely collaborate with industry to streamline the FAA's certification and regulatory processes.
  - » Work with American manufacturers to ensure that the FAA can meet the future needs of the aviation industry and allow our manufacturers to remain competitive in the global market place.
  - » Establish clear performance objectives and metrics, and national goals by which Congress and interested parties can better measure the progress of the FAA's streamlining efforts.
  - » Improves FAA workforce training and development for FAA inspectors and engineers.





- » Establishes mechanisms through which manufacturers can benefit from consistent regulatory interpretations among FAA regional offices and headquarters, and resolve disagreements and inconsistencies.
- » Enables manufacturers to fully utilize their delegated certification authorities, leveraging their resources and expertise, and allowing the FAA to focus on new and unique technologies, products, and activities.
- » Addresses delays in foreign certification of U.S. products abroad and requires the FAA to promote U.S. aerospace standards abroad.
- » Allows the use of efficient rulemaking processes to help streamline regulatory reform efforts for the commercial space transportation sector.



## ENHANCING AVIATION SAFETY

The role of the federal government is to provide robust safety oversight of all aspects of the aviation system. The FAA Reauthorization Act will ensure that the United States continues to have the safest aviation system in the world, and includes a number of safety provisions to protect the traveling public. The bill also contains provisions to address recent and emerging safety concerns.

### The FAA Reauthorization Act:

- Ensures the FAA safety workforce is utilized efficiently.
- Enhances FAA safety workforce training.
- Strengthens voluntary safety reporting programs for pilots – the Aviation Safety Action Program (ASAP).

- » Requires automatic acceptance of ASAP reports into the program until a special committee can meet and review the reports.
- » Voluntary safety reporting programs are important collaborative safety tools, but currently, weeks may pass between special committee meetings to review ASAP reports, and therefore the implementation of critical safety enhancements may be needlessly delayed.
- Addresses alternative methods of tracking aircraft over oceans.
  - » Directs the FAA to work with ICAO and other countries on developing standards to improve the tracking of aircraft.
  - » Requires the FAA to initiate a study of aircraft data access and retrieval technologies to determine if the technologies provide improved access and retrieval of aircraft data and cockpit voice recordings in the event of an aircraft accident.
- Directs the FAA to review and update its comprehensive plan to address cybersecurity vulnerabilities, and creates a Chief Technology Officer to be responsible for FAA cybersecurity.
- Includes a robust and thoughtful approach to address the transportation of lithium batteries by air.
  - » Establishes a Lithium Ion Battery Safety Advisory Committee to foster collaboration between DOT and relevant federal and international agencies to address the packaging, shipping, and development of safety standards for the air transportation of lithium batteries.
  - » Creates a working group to focus on reducing the risk of fire and explosions related to the transportation of lithium ion batteries.
  - » Directs the Secretary to issue regulations consistent with international technical instructions banning lithium ion batteries as cargo on passenger aircraft.
  - » Allows DOT to make exceptions for medical device batteries needed in remote areas.
- Establishes a rulemaking committee to review and provide recommendations on pilot rest and duty rules for pilots in part 135 operations.
- Extends training requirements for recognizing signs of human trafficking to frontline airline personnel.





## IMPROVING SERVICE FOR CUSTOMERS

It's time to put the American traveling public first. Our aviation system is forecasted to continue to grow. A decade from now, approximately one billion passengers a year will take to America's skies. That is why the FAA Reauthorization Act includes provisions to address the passenger experience, strengthen consumer protection laws, and maintain the Department of Transportation's oversight of aviation consumer issues.

### The FAA Reauthorization Act:

- Prohibits involuntary bumping of passengers once they have cleared the gate and boarded the plane, and instructs the Secretary of Transportation to clarify current regulations regarding compensation offered in instances of involuntary denied boarding.
- Ensures passengers have a more enjoyable flying experience by prohibiting the use of cell phones and mobile devices for voice communications during commercial flights.
- Ensures consumers can voice complaints through the consumer complaints hot-line and by using new technologies, such as smart phone applications, to relay these complaints.
- Requires airlines, in the event of a widespread disruption of their computer systems, to post via a prominent link on their website what services the airline will provide impacted passengers.
- Addresses concerns raised by aviation consumers with disabilities by reviewing best practices and conducting studies on how to better improve their overall travel experience. For example, the bill:
  - » Requires DOT to address issues regarding restroom accessibility, service animals onboard planes, and in-flight entertainment systems for passengers with disabilities.
  - » Requires studies on airport accessibility, airline employee training, and in-cabin wheelchair restraint systems.
  - » Establishes an advisory committee for passengers with disabilities to advise the Secretary and the Advisory Committee for Aviation Consumer Protection.



- Requires large and medium commercial airports to provide sanitary, private rooms in every terminal for nursing mothers.
- Extends the Advisory Committee for Aviation Consumer Protection that was created in the FAA Modernization and Reform Act of 2012 through the end of Fiscal Year 2023.
- Addresses consumer issues in the air ambulance industry by establishing an advisory committee to make recommendations on consumer protections, and improves the process for filing complaints with the DOT.



## Modernizing America's Airport Infrastructure

Airports are essential to the aviation system and the 11.3 million jobs and \$1.5 trillion in economic activity the system generates. They accommodate the movement of millions of passengers and billions of dollars' worth of cargo across our Nation and around the world every day. They connect our communities, create jobs, and drive economic growth.

With increasing passenger and cargo levels each year, our Nation's airports face significant capital needs.

The FAA Reauthorization Act provides stable funding for the FAA's Airport Improvement Program (AIP), which funds construction of critical infrastructure at airports of all sizes. Continuing the AIP program is essential to the long-term sustainability of airports across the country and the entire National Airspace System.

### The FAA Reauthorization Act:

- Provides stable funding for the Airport Improvement Program (AIP), which issues grants to public use airports for planning and development purposes and is an essential part of maintaining long-term sustainability of airports of all sizes.
- Removes unnecessary restrictions on the Passenger Facility Charge (PFC) allowing airports to more effectively finance projects that improve airport infrastructure and benefit the traveling public.
- Streamlines the PFC application process, which increases airport flexibility in financing projects and reduces both airport and administrative costs.
- Restores funding for three years to unclassified airports without a classified status in the National Plan of Integrated Airport Systems (NPIAS).
- General Aviation (GA) airports are a vital part of aviation. Under this bill, 250 of the smallest GA airports will continue to receive grant funding for an additional three years.
- Reforms and continues the critically important Federal Contract Tower Program to enable new towers to enter the program, and updates the FAA's out of date cost benefit analysis for current contract towers.
- Creates a remote air traffic control tower pilot program, deploying new advanced technologies in a way that will lower the cost of air traffic control services.
- Provides the FAA authority to release airports from additional land restrictions without Congressional approval.





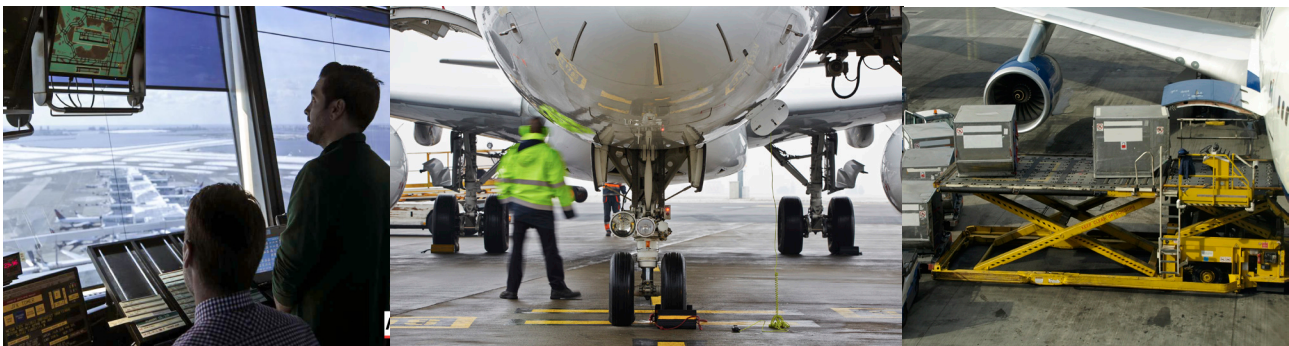


## ADDRESSING AIRPORT NOISE CONCERNS

The FAA Reauthorization Act recognizes the noise impacts that airports and aviation can have on surrounding communities by including provisions designed to facilitate greater outreach by the FAA and airports in order to address the impacts of aircraft noise at airports. Ensuring that airports and the aviation community adequately address the needs of nearby communities and the general public is critical to ensuring continued vitality and growth.

The FAA Reauthorization Act:

- Includes a subtitle addressing airport noise and environmental issues, two of the largest issues for communities around airports.
- Provides the FAA with a number of tools and strategies to mitigate the impact of airport noise and the communities neighboring airports.
- Facilitates greater community involvement in FAA NextGen projects across the country.
- Requires the FAA to study the potential health impacts of overflight noise.
- Requires the FAA to consider the feasibility of amending existing departure procedures over noise sensitive communities.
- Mandates a study to consider phasing out the operation of the noisiest small aircraft.





## SAFELY & EFFICIENTLY INTEGRATING UNMANNED AIRCRAFT SYSTEMS

The United States has long been the global leader in aviation, and the recent development and growth of unmanned aircraft systems (UAS), or drones, represents a tremendous economic opportunity.

According to the FAA, \$89 billion will be invested globally in UAS over the next 10 years, and major U.S. companies are leading the innovation in UAS technology. There are many valuable potential UAS applications in real estate, agriculture, infrastructure maintenance, and other areas, with many more on the horizon. But like other new technologies, UAS offer not only new opportunities, but challenges as well. The first and foremost challenge is ensuring their safe integration into the National Airspace System (NAS).

The FAA Reauthorization Act provides additional tools and flexibility for the FAA to safely and responsibly integrate UAS into the aviation system, respond more quickly to technology developments, and foster innovation in this growing and rapidly evolving industry.

The FAA Reauthorization Act:

- Establishes processes to accelerate implementation of low-altitude unmanned aircraft system traffic management (UTM) system.
- Fosters development of sense-and-avoid and other technologies at UAS test ranges.



- Provides greater flexibility to FAA to approve advanced UAS operations.
- Includes provisions to address privacy protections for unmanned aircraft.
- Improves UAS test range rules, including more protections for proprietary information.
- Directs FAA to update existing regulations to authorize the carriage of property by operators of small UAS and authorizes DOT to update existing regulations for UAS package delivery.
- Directs the National Academy of Public Administration to assess FAA's small UAS registration system and requires DOT to develop and track metrics to assess system compliance and effectiveness.
- Requires the GAO to study financing options related to UAS regulation and safety oversight.
- Directs the GAO to study the potential roles of state and local governments.
- Increases transparency by requiring FAA to publish information on approved small drone waivers and airspace authorizations, and to provide real time data on application status.

