

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.**

**S. 1072**

To ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Ms. KLOBUCHAR

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Airplane Revital-  
5 ization Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) A healthy small aircraft industry is integral  
9 to economic growth and to maintaining an effective  
10 transportation infrastructure for communities and  
11 countries around the world.

1           (2) Small airplanes comprise nearly 90 percent  
2 of general aviation aircraft certified by the Federal  
3 Aviation Administration.

4           (3) General aviation provides for the cultivation  
5 of a workforce of engineers, manufacturing and  
6 maintenance professionals, and pilots who secure the  
7 economic success and defense of the United States.

8           (4) General aviation contributes to well-paying  
9 jobs in the manufacturing and technology sectors in  
10 the United States and products produced by those  
11 sectors are exported in great numbers.

12           (5) Technology developed and proven in general  
13 aviation aids in the success and safety of all sectors  
14 of aviation and scientific competence.

15           (6) The average small airplane in the United  
16 States is now 40 years old and the regulatory bar-  
17 riers to bringing new designs to the market are re-  
18 sulting in a lack of innovation and investment in  
19 small airplane design.

20           (7) Since 2003, the United States lost 10,000  
21 active private pilots per year on average, partially  
22 due to a lack of cost-effective, new small airplanes.

23           (8) General aviation safety can be improved by  
24 modernizing and revamping the regulations relating  
25 to small airplanes to clear the path for technology

1 adoption and cost-effective means to retrofit the ex-  
2 isting fleet with new safety technologies.

3 **SEC. 3. SAFETY AND REGULATORY IMPROVEMENTS FOR**  
4 **GENERAL AVIATION.**

5 (a) IN GENERAL.—Not later than December 15,  
6 2015, the Administrator of the Federal Aviation Adminis-  
7 tration shall issue a final rule—

8 (1) to advance the safety and continued devel-  
9 opment of small airplanes by reorganizing the cer-  
10 tification requirements for such airplanes under part  
11 23 to streamline the approval of safety advance-  
12 ments; and

13 (2) that meets the objectives described in sub-  
14 section (b).

15 (b) OBJECTIVES DESCRIBED.—The objectives de-  
16 scribed in this subsection are based on the recommenda-  
17 tions of the Part 23 Reorganization Aviation Rulemaking  
18 Committee:

19 (1) The establishment of a regulatory regime  
20 for small airplanes that will improve safety and re-  
21 duce the regulatory cost burden for the Federal  
22 Aviation Administration and the aviation industry.

23 (2) The establishment of broad, outcome-driven  
24 safety objectives that will spur innovation and tech-  
25 nology adoption.

1           (3) The replacement of current, prescriptive re-  
2           requirements under part 23 with performance-based  
3           regulations.

4           (4) The use of consensus standards accepted by  
5           the Federal Aviation Administration to clarify how  
6           the safety objectives of part 23 may be met using  
7           specific designs and technologies.

8           (c) CONSENSUS-BASED STANDARDS.—In prescribing  
9           regulations under this section, the Administrator shall use  
10          consensus standards, as described in section 12(d) of the  
11          National Technology Transfer and Advancement Act of  
12          1996 (15 U.S.C. 272 note), to the extent practicable while  
13          continuing traditional methods for meeting part 23.

14          (d) SAFETY COOPERATION.—The Administrator shall  
15          lead the effort to improve general aviation safety by work-  
16          ing with leading aviation regulators to assist them in  
17          adopting a complementary regulatory approach for small  
18          airplanes.

19          (e) DEFINITIONS.—In this section:

20               (1) CONSENSUS STANDARDS.—

21                       (A) IN GENERAL.—The term “consensus  
22                       standards” means standards developed by an  
23                       organization described in subparagraph (B)  
24                       that may include provisions requiring that own-  
25                       ers of relevant intellectual property have agreed

1 to make that intellectual property available on  
2 a nondiscriminatory, royalty-free, or reasonable  
3 royalty basis to all interested persons.

4 (B) ORGANIZATIONS DESCRIBED.—An or-  
5 ganization described in this subparagraph is a  
6 domestic or international organization that—

7 (i) plans, develops, establishes, or co-  
8 ordinates, through a process based on con-  
9 sensus and using agreed-upon procedures,  
10 voluntary standards; and

11 (ii) operates in a transparent manner,  
12 considers a balanced set of interests with  
13 respect to such standards, and provides for  
14 due process and an appeals process with  
15 respect to such standards.

16 (2) PART 23.—The term “part 23” means part  
17 23 of title 14, Code of Federal Regulations.

18 (3) PART 23 REORGANIZATION AVIATION RULE-  
19 MAKING COMMITTEE.—The term “Part 23 Reorga-  
20 nization Aviation Rulemaking Committee” means  
21 the aviation rulemaking committee established by  
22 the Federal Aviation Administration in August 2011  
23 to consider the reorganization of the regulations  
24 under part 23.

1           (4) SMALL AIRPLANE.—The term “small air-  
2           plane” means an airplane which is certified to part  
3           23 standards.