

118TH CONGRESS
1ST SESSION

H. R. 1761

To amend title 49, United States Code, to raise the retirement age for pilots engaged in commercial aviation operations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2023

Mr. NEHLS (for himself, Mr. BABIN, Mr. PFLUGER, Mr. MOORE of Alabama, Mr. FALLON, Mr. MEUSER, Mr. HUNT, Mr. STEUBE, Mr. ROUZER, Mrs. BOEBERT, Mr. LAMALFA, Mr. DONALDS, Mr. TONY GONZALES of Texas, Mr. JOHNSON of South Dakota, Mr. MURPHY, Mr. ROY, Mr. HIGGINS of Louisiana, Mr. DAVIDSON, Mr. RUTHERFORD, Mr. GIMENEZ, Mr. GOOD of Virginia, Mr. GROTHMAN, Mr. BURLISON, Mr. ROSENDALE, Mrs. MILLER of Illinois, Mr. MCCORMICK, and Mr. MILLS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to raise the retirement age for pilots engaged in commercial aviation operations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Let Experienced Pilots
5 Fly Act of 2023”.

1 **SEC. 2. INCREASED RETIREMENT AGE FOR PILOTS.**

2 Section 44729 of title 49, United States Code, as
3 amended by section 107 of division Q of the Consolidated
4 Appropriations Act, 2023 (Public Law 117–328), is fur-
5 ther amended to read as follows:

6 **“§ 44729. Age standards for pilots**

7 “(a) IN GENERAL.—A pilot may serve in multicrew
8 covered operations until 67 years of age.

9 “(b) COVERED OPERATIONS DEFINED.—In this sec-
10 tion, the term ‘covered operations’ means operations under
11 part 121 of title 14, Code of Federal Regulations, unless
12 the operation takes place in—

13 “(1) the territorial airspace of a foreign country
14 where such operations are prohibited by the foreign
15 country; or

16 “(2) international airspace where such oper-
17 ations are not in compliance with the Annexes to the
18 Convention on International Civil Aviation.

19 “(c) REGULATIONS.—On and after the date of enact-
20 ment of the Let Experienced Pilots Fly Act of 2023, sub-
21 sections (d) and (e) of section 121.383 of title 14, Code
22 of Federal Regulations, shall be deemed to have been
23 amended to increase the age listed in such subsections to
24 67 years of age.

25 “(d) APPLICABILITY.—

1 “(1) RETROACTIVITY.—A pilot who is over 65
2 years of age on the date of enactment of this bill
3 may return to service in multicrew covered oper-
4 ations until 67 years of age.

5 “(2) PROTECTION FOR COMPLIANCE.—An ac-
6 tion taken in conformance with this section, taken in
7 conformance with a regulation issued to carry out
8 this section, or taken prior to the date of enactment
9 of the Let Experienced Pilots Fly Act of 2023 in
10 conformance with subsection (d) or (e) of section
11 121.383 of title 14, Code of Federal Regulations (as
12 in effect before such date), may not serve as a basis
13 for liability or relief in a proceeding, brought under
14 any employment law or regulation, before any court
15 or agency of the United States or of any State or
16 locality.

17 “(e) AMENDMENTS TO LABOR AGREEMENTS AND
18 BENEFIT PLANS.—Any amendment to a labor agreement
19 or benefit plan of an air carrier that is required to conform
20 with the requirements of this section or a regulation issued
21 to carry out this section, and is applicable to pilots rep-
22 resented for collective bargaining, shall be made by agree-
23 ment of the air carrier and the designated bargaining rep-
24 resentative of the pilots of the air carrier.

25 “(f) MEDICAL STANDARDS AND RECORDS.—

1 “(1) MEDICAL EXAMINATIONS AND STAND-
2 ARDS.—Except as provided by paragraph (2), a per-
3 son serving as a pilot for an air carrier engaged in
4 covered operations shall not be subject to different
5 medical standards, or different, greater, or more fre-
6 quent medical examinations, on account of age un-
7 less the Administrator of the Federal Aviation Ad-
8 ministration determines (based on data received or
9 studies published after the date of enactment of the
10 Let Experienced Pilots Fly Act of 2023) that dif-
11 ferent medical standards, or different, greater, or
12 more frequent medical examinations, are needed to
13 ensure an adequate level of safety in flight.

14 “(2) DURATION OF FIRST-CLASS MEDICAL CER-
15 TIFICATE.—No person who has attained 60 years of
16 age may serve as a pilot of an air carrier engaged
17 in covered operations unless the person has a first-
18 class medical certificate. Such a certificate shall ex-
19 pire on the last day of the 6-month period following
20 the date of examination shown on the certificate.

21 “(g) SAFETY TRAINING.—Each air carrier engaged
22 in covered operations shall continue to use pilot training
23 and qualification programs approved by the Federal Avia-
24 tion Administration.

1 “(h) REPORT.—Not later than 180 days after the
2 date of enactment of this Act, the Administrator of the
3 Federal Aviation Administration shall submit to the ap-
4 propriate congressional committees a report on further in-
5 creasing the age limitation described in subsection (a).”.

○