

117TH CONGRESS
2D SESSION

H. R. 7769

To establish a commission to develop a helicopter usage management plan for certain airspace, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2022

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. NADLER, Ms. VELÁZQUEZ, Mr. BOWMAN, Mr. ESPALLAT, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Mr. LYNCH, Mr. MEEKS, Ms. MENG, Ms. NORTON, Ms. OCASIO-CORTEZ, Mr. PAYNE, Mr. SHERMAN, Mr. SUOZZI, and Mr. TORRES of New York) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish a commission to develop a helicopter usage management plan for certain airspace, 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 “Helicopter Safety and
5 Noise Management Act”.

1 **SEC. 2. HELICOPTER USAGE MANAGEMENT PLAN.**

2 (a) COMMISSION FOR DEVELOPMENT OF ROTOCRAFT
3 MANAGEMENT PLAN.—At least 2 Governors and 1 Mayor
4 with jurisdiction over covered airspace shall—

5 (1) jointly establish a commission to develop the
6 helicopter usage management plan required under
7 subsection (b);

8 (2) serve as Co-Chairs of such commission;

9 (3) include the Administrator of the Federal
10 Aviation Administration on the commission; and

11 (4) each appoint 3 additional Members to serve
12 on the commission who are helicopter noise and safe-
13 ty advocates that reside in the covered airspace and
14 are negatively impacted by nonessential helicopter
15 flights.

16 (b) DEVELOPMENT OF PLAN.—Not later than 1 year
17 after the date of enactment of this Act, the commission
18 established under subsection (a) shall develop a helicopter
19 usage management plan for covered airspace that—

20 (1) prohibits the operation of a nonessential
21 civil rotorcraft in covered airspace without a permit
22 described under subsection (c) from the Federal
23 Aviation Administration;

24 (2) establishes a system for substantially reduc-
25 ing the number of nonessential civil rotorcraft that

1 can operate in covered airspace at any given time;
2 and

3 (3) establishes a competitive bidding program
4 for civil nonessential rotorcrafts to operate in such
5 airspace.

6 (c) NUMBER OF NONESSENTIAL ROTORCRAFTS AU-
7 THORIZED.—In determining the number of nonessential
8 rotorcrafts authorized under the competitive bidding pro-
9 gram established under subsection (b)(3), the commission
10 shall take into consideration—

11 (1) the safety record of the person submitting
12 the proposal or pilots employed by the person;

13 (2) any quiet aircraft technology to be used by
14 the person submitting the proposal;

15 (3) the experience of the person submitting the
16 proposal with operating in such airspace;

17 (4) the financial capability of the person sub-
18 mitting the proposal;

19 (5) any training programs for pilots provided by
20 the person submitting the proposal; and

21 (6) the number of existing nonessential
22 rotorcrafts authorized and the current level of serv-
23 ice and equipment provided by any such operators.

24 (d) PUBLIC COMMENT PERIOD.—

1 (1) IN GENERAL.—The commission established
2 under subsection (a) shall provide notice of, and an
3 opportunity for, at least 60 days of public comment.

4 (2) TIMING.—The notice required under para-
5 graph (1) shall occur at least 60 days before the
6 public comment period.

7 (3) PUBLIC HEARINGS.—Not later than 60 days
8 after the date of enactment of this Act, the commis-
9 sion shall hold at least 4 public hearings in the com-
10 munities impacted by the plan described in sub-
11 section (b) to solicit feedback with respect to the heli-
12 copter usage management plan.

13 (e) ESTABLISHMENT OF PLAN AND PERMIT.—The
14 Administrator shall—

15 (1) implement the helicopter usage management
16 plan established under subsection (b); and

17 (2) establish a permit system referred to in sub-
18 section (b)(1) under which owners or operators of
19 nonessential civil rotorcraft are required to hold a
20 valid permit from the Administrator to operate such
21 rotorcraft in covered airspace.

22 (f) ESSENTIAL USE.—

23 (1) PUBLIC HEALTH AND SAFETY.—The plan
24 developed under subsection (b) shall not apply any
25 limitation or requirement to the operation of a civil

1 rotorcraft for purposes of public health and safety,
2 including—

- 3 (A) law enforcement;
- 4 (B) emergency response;
- 5 (C) disaster response;
- 6 (D) the provision of medical services;
- 7 (E) scientific research; and
- 8 (F) official purposes by a news organiza-
9 tion.

10 (2) INFRASTRUCTURE MAINTENANCE.—The
11 plan developed under subsection (b) shall not apply
12 any limitation or requirement to the operation of a
13 civil rotorcraft for purposes of heavy-lift operations
14 in support of construction and infrastructure main-
15 tenance.

16 (g) COVERED AIRSPACE DEFINED.—In this section,
17 the term “covered airspace” means the airspace directly
18 over any city with a population over 7 million people and
19 with a population density of over 25,000 people per square
20 mile, including the airspace over any waterways considered
21 within the limits of such city.

○