

**AMENDMENT TO  
RULES COMMITTEE PRINT 118-11  
OFFERED BY MR. HUIZENGA OF MICHIGAN**

At the end of title VIII, add the following:

1 **SEC. \_\_\_\_ . VOLUNTEER PILOT SUPPORT ACT.**

2 (a) IN GENERAL.—Notwithstanding any other provi-  
3 sion of law, on and after the date of enactment of this  
4 section, the following rules shall apply:

5 (1) A volunteer pilot may accept reimbursement  
6 for a covered operational cost if—

7 (A) such pilot operates a covered flight;  
8 and

9 (B) such pilot or volunteer pilot organiza-  
10 tion notifies each passenger that the flight is  
11 for charitable purposes and is not subject to the  
12 same safety requirements as a flight operated  
13 by an air carrier or a commercial operator cer-  
14 tified by the Administrator (as described in  
15 paragraph (2)(B)).

16 (2) A volunteer pilot receiving a covered oper-  
17 ational cost for a covered flight and a volunteer pilot  
18 organization that arranges a covered flight are ex-  
19 cepted from—

1 (A) the certificate requirements under  
2 parts 119 and 125 of title 14, Code of Federal  
3 Regulations; and

4 (B) the operating requirements under  
5 parts 121, 125, and 135 of such title 14.

6 (3) A volunteer pilot receiving a covered oper-  
7 ational cost for a covered flight—

8 (A) does not constitute common carriage  
9 (as such term is used in title 49, United States  
10 Code, and such title 14); and

11 (B) does not constitute a flight operation  
12 for compensation or hire (as such term is used  
13 in such title 49 and such title 14).

14 (4) A covered operational cost is not compensa-  
15 tion (as such term is used in such title 49 and such  
16 title 14).

17 (b) ADDITIONAL REQUIREMENTS.—

18 (1) VOLUNTEER PILOT ORGANIZATION.—A vol-  
19 unteer pilot organization may impose eligibility re-  
20 quirements that exceed the applicable eligibility re-  
21 quirements described in subsection (d)(5)(B) and  
22 the general operating rules in part 91 of title 14,  
23 Code of Federal Regulations, without being consid-  
24 ered an air carrier, a commercial operator, or com-  
25 mon carrier.

1           (2) REGULATIONS.—The Administrator shall  
2       revise regulations as necessary to implement the  
3       subsection (a). In revising such regulations, the Ad-  
4       ministrator may not impose on a volunteer pilot or  
5       volunteer pilot organization any operating require-  
6       ments, aircraft qualifications, or pilot qualifications  
7       to conduct a covered flight that are in addition to  
8       the requirements under this section and the require-  
9       ments under the general operating rules in part 91  
10      of title 14, Code of Federal Regulations.

11      (c) EFFECT ON OTHER FAA AUTHORITY.—

12           (1) EFFECT ON EXISTING EXEMPTION AUTHOR-  
13      ITY.—

14           (A) IN GENERAL.—Nothing in this section  
15      shall—

16           (i) affect the authority of the Admin-  
17           istrator to exempt a pilot (exercising the  
18           privilege of a private pilot certificate issued  
19           under part 61 of title 14, Code of Federal  
20           Regulations) from a restriction on receiv-  
21           ing reimbursement; or

22           (ii) affect any such exemptions exist-  
23           ing before the date of enactment of this  
24           section.

1 (B) CLARIFICATION.—Subparagraph  
2 (A)(ii) shall not be construed to prohibit a per-  
3 son from voluntarily relinquishing an exemption  
4 described in subparagraph (A).

5 (2) EFFECT ON OTHER VOLUNTEER  
6 FLIGHTS.—Nothing in this section shall impose or  
7 authorize the imposition of any additional require-  
8 ments on a flight that is arranged by a volunteer  
9 pilot organization in which the pilot in command is  
10 not reimbursed or the pilot in command pays a pro  
11 rata share of expenses as described under section  
12 61.113(c) of title 14, Code of Federal Regulations.

13 (d) DEFINITIONS.—In this section:

14 (1) AIR CARRIER; AIRCRAFT; AIRPORT.—The  
15 terms “air carrier”, “aircraft”, and “airport” have  
16 the meanings given those terms in section 40102 of  
17 title 49, United States Code.

18 (2) COMMERCIAL OPERATOR.—The term “com-  
19 mercial operator” has the meaning given such term  
20 in section 1.1 of title 14, Code of Federal Regula-  
21 tions.

22 (3) COVERED FLIGHT.—The term “covered  
23 flight”—

24 (A) means a flight that is operated by a  
25 volunteer pilot in any airworthy aircraft in sup-

1 port of the mission of a volunteer pilot organi-  
2 zation; and

3 (B) includes any flight or flight segment  
4 that is between the airport in which the aircraft  
5 for the covered flight is based and the airport  
6 the passengers of a flight described in subpara-  
7 graph (A) board or disembark.

8 (4) COVERED OPERATIONAL COST.—The term  
9 “covered operational cost” means the following:

10 (A) A cost that is actually incurred in con-  
11 nection with a covered flight, including the fol-  
12 lowing:

13 (i) In the case of a volunteer pilot who  
14 rents the aircraft used for a covered flight,  
15 the cost of rental fees and other operating  
16 expenses not included in the rental fees  
17 that are incurred by such pilot for a cov-  
18 ered flight, except that such costs may not  
19 unreasonably exceed the cost of owning  
20 and operating the aircraft, which includes  
21 maintenance costs, storage fees, airport ex-  
22 penditures, and, for an owner that is in the  
23 business of renting aircraft, the cost of  
24 doing business and making a reasonable  
25 profit.

1 (ii) In the case of a volunteer pilot  
2 who does not rent the aircraft used for a  
3 covered flight, the cost of fuel, oil, and air-  
4 port expenditures incurred by such pilot  
5 for a covered flight.

6 (iii) Meals, lodging, and related ex-  
7 penses.

8 (B) Any nonmonetary benefit that may be  
9 considered compensation (as such term is used  
10 in title 49, United States Code, and title 14,  
11 Code of Federal Regulations), including logged  
12 flight hours, goodwill, any applicable tax deduc-  
13 tion permitted under the Internal Revenue Code  
14 of 1986, and any other indirect economic ben-  
15 efit.

16 (5) VOLUNTEER PILOT.—

17 (A) IN GENERAL.—The term “volunteer  
18 pilot” means a person who—

19 (i) acts as pilot in command of a cov-  
20 ered flight; and

21 (ii) meets each applicable eligibility  
22 requirement described in subparagraph  
23 (B).

24 (B) ELIGIBILITY REQUIREMENTS DE-  
25 SCRIBED.—The applicable eligibility require-

1           ments described in this subparagraph are the  
2           following:

3                   (i) The volunteer pilot holds at least a  
4                   private pilot certificate with appropriate  
5                   category, class, and type rating (if a type  
6                   rating is applicable) issued under part 61  
7                   of title 14, Code of Federal Regulations.

8                   (ii) The volunteer pilot holds an in-  
9                   strument rating or airline transport pilot  
10                  certificate for the category of aircraft used  
11                  for a covered flight issued under such part  
12                  61.

13                  (iii) The volunteer pilot logged at least  
14                  500 hours as pilot in command in the cat-  
15                  egory of aircraft used for a covered flight.

16                  (iv) The volunteer pilot—

17                           (I) holds a valid medical certifi-  
18                           cate issued under part 67 of title 14,  
19                           Code of Federal Regulations; or

20                           (II) complies with the require-  
21                           ments of section 61.113(i) of title 14,  
22                           Code of Federal Regulations.

23                  (6) VOLUNTEER PILOT ORGANIZATION.—The  
24                  term “volunteer pilot organization” means an orga-  
25                  nization that—

1           (A) is operated exclusively for religious,  
2           charitable, scientific, testing for public safety,  
3           literary, or educational purposes, or to foster  
4           national or international amateur sports com-  
5           petition (but only if no part of its activities in-  
6           volve the provision of athletic facilities or equip-  
7           ment), or for the prevention of cruelty to chil-  
8           dren or animals, no part of the net earnings of  
9           which inures to the benefit of any private share-  
10          holder or individual, no substantial part of the  
11          activities of which is carrying on propaganda,  
12          or otherwise attempting, to influence legislation,  
13          and which does not participate in, or intervene  
14          in (including the publishing or distributing of  
15          statements), any political campaign on behalf of  
16          (or in opposition to) any candidate for public  
17          office; and

18           (B) arranges or coordinates flights by vol-  
19          unteer pilots for purposes described in subpara-  
20          graph (A).

