

106TH CONGRESS  
1ST SESSION

# H. R. 267

To amend title 49, United States Code, relating to the installation of emergency locator transmitters on aircraft.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mr. SHAYS (for himself, Mr. GEJDENSON, Mrs. JOHNSON of Connecticut, Ms. DELAURO, Mr. MALONEY of Connecticut, Mr. LARSON, and Mr. NEAL of Massachusetts) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, relating to the installation of emergency locator transmitters on aircraft.

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 “Airplane Emergency  
5 Locator Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) On December 24, 1996, a plane piloted by  
2           Johan Schwartz and Patrick Hayes disappeared  
3           near Lebanon, New Hampshire.

4           (2) An extensive search was conducted by the  
5           States of New Hampshire, Connecticut, Vermont,  
6           New York, Maine, and Massachusetts, in coopera-  
7           tion with the Federal Government, in an unsuccess-  
8           ful effort to locate the plane and any survivors.

9           (3) The plane was not required under law to  
10          carry an emergency locator transmitter.

11          (4) Emergency locator transmitters have been  
12          found to be very helpful in locating downed aircraft  
13          and saving lives.

14 **SEC. 3. AIRPLANE EMERGENCY LOCATORS.**

15          (a) REQUIREMENT.—Section 44712(b) of title 49,  
16 United States Code, is amended to read as follows:

17          “(b) NONAPPLICATION.—Subsection (a) does not  
18 apply to aircraft when used in—

19                 “(1) scheduled flights by scheduled air carriers  
20 holding certificates issued by the Secretary of Trans-  
21 portation under subpart II of this part;

22                 “(2) training operations conducted entirely  
23 within a 50-mile radius of the airport from which  
24 the training operations begin;

1           “(3) flight operations related to the design and  
2           testing, manufacture, preparation, and delivery of  
3           aircraft;

4           “(4) showing compliance with regulations;

5           “(5) an exhibition or air racing; or

6           “(6) the aerial application of a substance for an  
7           agricultural purpose.”.

8           (b) COMPLIANCE.—Section 44712 is amended by re-  
9           designating subsection (c) as subsection (d) and by insert-  
10          ing after subsection (b) the following:

11          “(c) COMPLIANCE.—An aircraft is deemed to meet  
12          the requirement of subsection (a) if it is equipped with  
13          an emergency locator transmitter that transmits on the  
14          121.5/243 megahertz frequency or the 406 megahertz fre-  
15          quency, or with other equipment approved by the Sec-  
16          retary for meeting the requirement of subsection (a).”.

17          (c) EFFECTIVE DATE; REGULATIONS.—

18                 (1) REGULATIONS.—The Secretary of Trans-  
19                 portation shall promulgate regulations to carry out  
20                 section 44712(b) of title 49, United States Code, as  
21                 amended by this section not later than January 1,  
22                 2002.

1           (2) EFFECTIVE DATE.—Except as provided in  
2           paragraph (1), the amendments made by this section  
3           shall take effect on January 1, 2002.

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