

106TH CONGRESS  
1ST SESSION

# H. R. 729

To provide for development and implementation of certain plans to reduce risks to the public health and welfare caused by helicopter operations.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1999

Mrs. MALONEY of New York (for herself, Mr. TOWNS, Mr. NADLER, and Mr. BERMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To provide for development and implementation of certain plans to reduce risks to the public health and welfare caused by helicopter operations.

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 Noise Con-  
5 trol and Safety Act”.

6 **SEC. 2. DEFINITIONS.**

7 For the purposes of this Act, the following definitions  
8 apply:

1           (1) ADMINISTRATOR.—The term “Adminis-  
2           trator” means the Administrator of the Federal  
3           Aviation Administration.

4           (2) HELICOPTER OPERATIONS.—The term “hel-  
5           icopter operations” means any function which is rea-  
6           sonably related to helicopter traffic, including heli-  
7           copter takeoffs, landings, and overflights.

8   **SEC. 3. PLAN.**

9           (a) IN GENERAL.—If the Administrator determines,  
10          independently or after review of a study submitted under  
11          section 4, that helicopter operations pose a risk to the pub-  
12          lic health and welfare in a county or municipality with a  
13          population of more than 500,000, the Administrator shall  
14          develop and implement a plan, in accordance with this Act,  
15          to reduce that risk.

16          (b) REQUIREMENTS.—A plan implemented pursuant  
17          to this Act must—

18                 (1) be related to the risk documented by the  
19                 Administrator or by a study submitted under section  
20                 4;

21                 (2) reduce the documented risk in a reasonable  
22                 way;

23                 (3) not adversely affect aviation safety; and

1           (4) be technologically practicable and appro-  
2           priate for the particular type of aircraft and aircraft  
3           operation to which it will apply.

4           (c) OPTIONS.—A plan implemented pursuant to this  
5 Act may—

6           (1) include curfew restrictions on the number  
7           and time of helicopter operations;

8           (2) include restrictions on the daily number of  
9           helicopter flights, including different restrictions for  
10          weekday and weekend flights;

11          (3) include restrictions on the type of helicopter  
12          used;

13          (4) relate to a particular heliport or heliports,  
14          or to helicopter operations within the city generally;

15          (5) include exceptions necessary for helicopter  
16          operations relating to administrative, emergency,  
17          media, and military operations; and

18          (6) include any other restrictions on helicopter  
19          operations that may be necessary to protect public  
20          health and welfare.

21 **SEC. 4. SUBMISSION OF PLAN; REVIEW; PUBLIC COMMENT;**

22 **APPROVAL.**

23          (a) SUBMISSION.—A city, State, governmental sub-  
24          division, agency, or instrumentality, or a person respon-  
25          sible for the operation of a heliport may request that the

1 Administrator implement a plan pursuant to this Act by  
2 submitting to the Administrator—

3 (1) a study demonstrating that noise or safety  
4 conditions, or both, resulting from helicopter oper-  
5 ations pose a risk to the public health and welfare  
6 of a county or municipality with a population of  
7 more than 500,000; and

8 (2) a plan to reduce the risk documented by the  
9 study submitted under paragraph (1).

10 (b) REVIEW.—Not more than 60 days after receipt  
11 of a plan and study submitted under subsection (a), the  
12 Administrator shall complete a review of such plan and  
13 make any modifications necessary to ensure that such plan  
14 is in accordance with section 3.

15 (c) PUBLIC COMMENT.—Not more than 60 days after  
16 the Administrator has completed a review and, if nec-  
17 essary, modifications of a plan submitted under subsection  
18 (a)(2), or after development of a plan based upon inde-  
19 pendent study by the Administrator, the Administrator  
20 shall—

21 (1) issue public notice which includes a draft of  
22 the plan;

23 (2) make copies of the plan and the supporting  
24 study available at the appropriate regional offices of  
25 the Federal Aviation Administration; and

1           (3) allow 90 days for public comment on the  
2     plan.

3           (d) APPROVAL AND IMPLEMENTATION.—Not less  
4 than 60 days after the expiration of the period for public  
5 comment provided under subsection (c)(3), Administrator  
6 shall implement a plan which—

7           (1) is in accordance with section 3; and

8           (2) takes into consideration any public com-  
9     ments on the plan.

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