

118TH CONGRESS  
1ST SESSION

# S. 1535

To require the Administrator of the Federal Aviation Administration to promulgate regulations to allow the transport of firefighters on board a covered aircraft operated on a mission to suppress a wildfire, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 10, 2023

Mr. KELLY (for himself and Ms. LUMMIS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To require the Administrator of the Federal Aviation Administration to promulgate regulations to allow the transport of firefighters on board a covered aircraft operated on a mission to suppress a wildfire, 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 “Wildfire Response  
5 Aviation Modernization and Safety Act”.

1 **SEC. 2. WILDFIRE SUPPRESSION.**

2 (a) IN GENERAL.—To ensure that sufficient fire-  
3 fighting resources are available to suppress wildfires and  
4 protect public safety and property, the Administrator shall  
5 promulgate regulations to clarify that—

6 (1) an operation described in section  
7 21.25(b)(7) of title 14, Code of Federal Regulations,  
8 shall allow the transport of firefighters on board a  
9 covered aircraft operated on a mission to suppress a  
10 wildfire; and

11 (2) the noise standards described in part 36 of  
12 such title shall not apply to such an operation.

13 (b) CONFORMING AMENDMENTS TO FAA DOCU-  
14 MENTS.—Not later than 90 days after the date of enact-  
15 ment of this section, the Administrator shall amend FAA  
16 Order 8110.56, Restricted Category Type Certification  
17 (dated February 27, 2006), as well as any corresponding  
18 policy or guidance material, to reflect the requirements of  
19 subsection (a).

20 (c) SAVINGS PROVISION.—Nothing in this section  
21 shall be construed to limit the Administrator’s authority  
22 to take action otherwise authorized by law to protect avia-  
23 tion safety or passenger safety.

24 (d) DEFINITIONS.—For purposes of this section:

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

4           (2) COVERED AIRCRAFT.—The term “covered  
5           aircraft” means an aircraft type-certificated in the  
6           restricted category under section 21.25 of title 14,  
7           Code of Federal Regulations.

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