

117TH CONGRESS
1ST SESSION

S. 2458

To clarify that individuals engaged in aircraft flight instruction or testing, including phased testing of experimental aircraft, are not operating an aircraft carrying persons or property for compensation or hire.

IN THE SENATE OF THE UNITED STATES

JULY 22, 2021

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

A BILL

To clarify that individuals engaged in aircraft flight instruction or testing, including phased testing of experimental aircraft, are not operating an aircraft carrying persons or property for compensation or hire.

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 “Certainty for General
5 Aviation Pilots Act of 2021”.

6 **SEC. 2. FLIGHT INSTRUCTION OR TESTING.**

7 (a) IN GENERAL.—A certificated flight instructor
8 providing student instruction, flight instruction, or flight

1 training shall not be deemed to be operating an aircraft
2 carrying persons or property for compensation or hire.

3 (b) AUTHORIZED ADDITIONAL PILOTS.—An indi-
4 vidual acting as an authorized additional pilot during
5 Phase I flight testing of aircraft holding an experimental
6 airworthiness certificate, in accordance with section
7 21.191 of title 14, Code of Federal Regulations, and meet-
8 ing the requirements set forth by Federal Aviation Admin-
9 istration regulation and policy, shall not be deemed to be
10 operating an aircraft carrying persons or property for
11 compensation or hire.

12 (c) USE OF AIRCRAFT.—An individual who uses,
13 causes to use, or authorizes to use aircraft for flights con-
14 ducted under subsection (a) or (b) shall not be deemed
15 to be operating an aircraft carrying persons or property
16 for compensation or hire.

17 (d) REVISION OF RULES.—Not later than 180 days
18 after the date of enactment of this Act, the Administrator
19 of the Federal Aviation Administration shall issue, revise,
20 or repeal the rules, regulations, guidance, or procedures
21 of the Federal Aviation Administration to conform to the
22 requirements of this section.

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