

117TH CONGRESS
1ST SESSION

S. 36

To require certain helicopters to be equipped with safety technologies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2021

Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. BLUMENTHAL, and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require certain helicopters to be equipped with safety technologies, 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 “Kobe Bryant & Gianna
5 Bryant Helicopter Safety Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The January 26, 2020, helicopter crash
9 near Calabasas, California, in which 9 individuals
10 lost their lives, was a tragic event.

1 (2) Officials from the National Transportation
2 Safety Board (NTSB) have noted that the helicopter
3 involved in the fatal January crash was not equipped
4 with a Flight Data Recorder (FDR), a Cockpit
5 Voice Recorder (CVR), or a Terrain Awareness and
6 Warning System (TAWS).

7 (3) The NTSB has investigated numerous trag-
8 ic helicopter accidents, including the crash of a heli-
9 copter in the Gulf of Mexico in 2004, in which 10
10 individuals lost their lives, and a crash in Missouri
11 in 2011, in which 4 individuals lost their lives.

12 (4) The NTSB has provided recommendations
13 to the FAA regarding equipping helicopters with
14 crash-resistant Flight Data Recorders, Cockpit Voice
15 Recorders, and Terrain Awareness and Warning
16 Systems.

17 (5) The FAA has not acted on several NTSB
18 recommendations for increased helicopter safety
19 technologies that could potentially avert future trag-
20 edies.

21 **SEC. 3. IMPLEMENTATION OF NTSB RECOMMENDATIONS.**

22 (a) IN GENERAL.—Subject to subsections (b) and (c),
23 not later than 90 days after the date of enactment of this
24 Act, the Administrator shall issue such regulations as are
25 necessary to implement the following NTSB recommenda-

1 tions for crash-resistant systems, but only with respect to
2 existing and new U.S.-registered turbine-powered rotor-
3 craft certificated for 6 or more passenger seats:

4 (1) Safety Recommendation A-06-017, issued
5 on March 7, 2006 (relating to requiring all rotor-
6 craft operating under parts 91 and 135 of title 14,
7 Code of Federal Regulations, with a transport-cat-
8 egory certification to be equipped with a cockpit
9 voice recorder (CVR) and a flight data recorder
10 (FDR) or an onboard cockpit image recorder with
11 the capability of recording cockpit audio, crew com-
12 munications, and aircraft parametric data).

13 (2) Safety Recommendation A-06-018, issued
14 on March 7, 2006 (relating to not permitting exemp-
15 tions or exceptions to the flight recorder regulations
16 that allow transport-category rotorcraft to operate
17 without flight recorders, and withdrawing exemp-
18 tions and exceptions that allow transport-category
19 rotorcraft to operate without flight recorders).

20 (3) Safety Recommendation A-06-019 issued
21 on March 24, 2006 (relating to requiring all existing
22 and new U.S.-registered turbine-powered rotorcraft
23 certificated for 6 or more passenger seats to be
24 equipped with a terrain awareness and warning sys-
25 tem).

1 (b) TIMING FOR EQUIPMENT COMPLIANCE.—The
2 regulations required to be issued under subsection (a)
3 shall require all U.S.-registered turbine-powered rotorcraft
4 certificated for 6 or more passenger seats to be equipped
5 with a Flight Data Recorder, a Cockpit Voice Recorder,
6 and a Terrain Awareness and Warning System that each
7 meet the respective requirements applicable under such
8 regulations, not later than—

9 (1) 1 year after the date on which the applica-
10 ble regulation is issued; or

11 (2) 2 years after the date on which the applica-
12 ble regulation is issued, if the Administrator deter-
13 mines appropriate.

14 (c) EXEMPTIONS.—

15 (1) IN GENERAL.—In issuing the regulations
16 required under subsection (a), the Administrator
17 may exempt any civilian helicopter that the Adminis-
18 trator determines appropriate from 1 or more of the
19 equipment requirements of such regulations.

20 (2) REQUIREMENTS.—If the Administrator
21 issues a final regulation that contains an exemption
22 described in paragraph (1), the Administrator shall
23 submit to the Committee on Transportation and In-
24 frastructure of the House of Representatives the
25 Committee on Appropriations of the House of Rep-

1 representatives, the Committee on Commerce, Science,
2 and Transportation of the Senate, and the Com-
3 mittee on Appropriations of the Senate a report de-
4 scribing the exemption, not later than the date on
5 which the final regulation is issued.

6 **SEC. 4. DEFINITIONS.**

7 In this Act:

8 (1) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of the FAA.

10 (2) FAA.—The term “FAA” means the Fed-
11 eral Aviation Administration.

12 (3) NTSB.—The term “NTSB” means the Na-
13 tional Transportation Safety Board.

○