

115TH CONGRESS  
2D SESSION

# H. R. 6957

To address the need for pilot development and encourage more individuals to enter the field of aviation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2018

Mr. ROKITA (for himself, Mr. LIPINSKI, Mr. PETERSON, Mr. RUSSELL, and Mr. ABRAHAM) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To address the need for pilot development and encourage more individuals to enter the field of aviation, 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 “Securing and Revital-  
5 izing Aviation Act of 2018” or the “SARA Act of 2018”.

1 **SEC. 2. ENHANCING PROTECTIONS FOR THE AVIATION**  
2 **COMMUNITY.**

3 (a) NTSB REVIEW OF APPLICATION FOR AIRMAN  
4 CERTIFICATE.—Section 44703(d) of title 49, United  
5 States Code, is amended—

6 (1) by redesignating paragraphs (2) and (3) as  
7 paragraphs (3) and (4), respectively; and

8 (2) by inserting after paragraph (1), the fol-  
9 lowing new paragraph:

10 “(2) NTSB REVIEW.—

11 “(A) IN GENERAL.—In the case of an applica-  
12 tion for the issuance of an airman medical certifi-  
13 cate, the National Transportation Safety Board may  
14 review a denial that may not be considered a final  
15 denial by the Administrator when the Administrator  
16 has twice reconsidered the application and sustained  
17 a previous denial on that application.

18 “(B) DEEMED DENIAL.—The Administrator’s  
19 failure to rule upon an application to reconsider the  
20 denial of issuance of an airman medical certificate  
21 within 60 days of the date on which the application  
22 to reconsider is submitted to the Administrator shall  
23 be deemed to be a denial of the application.”.

24 (b) VOLUNTARY SURRENDER OF AN AIRMAN MED-  
25 ICAL CERTIFICATE.—Section 44703 of title 49, United

1 States Code, is amended by adding at the end the fol-  
2 lowing new subsection:

3       “(l) VOLUNTARY SURRENDER OF AN AIRMAN MED-  
4 ICAL CERTIFICATE.—An airman may voluntarily sur-  
5 render an airman medical certificate issued under this sec-  
6 tion for cancellation at any time, unless the certificate is  
7 subject to a Federal Aviation Administration order at the  
8 time of the voluntary surrender.”.

9       (c) APPEALS.—Section 44703(d)(1) of title 49,  
10 United States Code, is amended by striking “holds a cer-  
11 tificate that” and all that follows through the period and  
12 inserting “holds a certificate that is suspended at the time  
13 of denial.”.

14       (d) REAPPLICATIONS.—Section 44709 of title 49,  
15 United States Code, is amended—

16             (1) by redesignating subsection (f) as sub-  
17 section (g); and

18             (2) by inserting after subsection (e), the fol-  
19 lowing new subsection:

20       “(f) REAPPLICATIONS.—Except as provided in sec-  
21 tion 44710, any person whose certificate has been revoked  
22 by an order of the Administrator or the National Trans-  
23 portation Safety Board may reapply for a certificate at  
24 any time following the revocation.”.

1 (e) APPEAL OF SUSPENSION OR TERMINATION OF  
2 DELEGATION.—Section 44702(d) of title 49, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing: “Subsections (d), (e), and (f) of section 44709  
5 shall apply to a rescission of a delegation under this sub-  
6 section in the same manner as those subsections apply to  
7 an order of the Administrator or the National Transpor-  
8 tation Safety Board under that section.”.

9 **SEC. 3. ACCOUNTABILITY FOR AIRCRAFT REGISTRATION**  
10 **NUMBERS.**

11 The Administrator of the Federal Aviation Adminis-  
12 tration shall review the process of reserving aircraft reg-  
13 istration numbers and enact appropriate changes to en-  
14 sure the fair participation by the general public, including  
15 the implementation of readily available software to prevent  
16 any computer auto-fill systems from reserving aircraft reg-  
17 istration numbers in bulk.

18 **SEC. 4. MITIGATING THE SPREAD OF AQUATIC INVASIVE**  
19 **SPECIES BY AIRCRAFT.**

20 (a) IN GENERAL.—Any person that holds a seaplane  
21 rating from the Administrator of the Federal Aviation Ad-  
22 ministration and successfully completes a free online edu-  
23 cation course on aquatic invasive species mitigation that  
24 is acceptable to the Secretary of the Interior may hold  
25 themselves out to the public as qualified to inspect aircraft

1 for aquatic invasive species and to take action to mitigate  
2 the spread of aquatic invasive species.

3 (b) NO FURTHER REGULATORY OR ENFORCEMENT  
4 ACTION.—Any person that is qualified under subsection  
5 (a) or whose aircraft is inspected by a person qualified  
6 under subsection (a) and subject to the mitigation de-  
7 scribed in subsection (a) shall not be subject to any fur-  
8 ther regulatory or enforcement action by any Federal,  
9 State, local, or Tribal government for any action related  
10 to aquatic invasive species.

11 (c) COURSES.—The Secretary of the Interior shall  
12 publish, and periodically revise, a list of acceptable courses  
13 on mitigating the spread of aquatic invasive species by air-  
14 craft.

15 (d) AQUATIC INVASIVE SPECIES.—For the purposes  
16 of this section, the term “aquatic invasive species” means  
17 aquatic organisms that invade ecosystems beyond their  
18 natural, historic range and whose presence may harm  
19 human health, native ecosystems, or commercial, agricul-  
20 tural, or recreational activities dependent on these eco-  
21 systems.

1 **SEC. 5. MODIFICATION OF FEDERAL AVIATION ADMINIS-**  
2 **TRATION TOWER MARKING REQUIREMENTS.**

3 Section 2110(b)(1)(A)(ii) of the FAA Extension,  
4 Safety, and Security Act of 2016 (49 U.S.C.  
5 44718(b)(1)(A)(ii) note) is amended—

6 (1) by redesignating subclauses (IX) and (X) as  
7 subclauses (X) and (XI), respectively; and

8 (2) by inserting after subclause (VIII) the fol-  
9 lowing:

10 “(IX) is located in a State that  
11 has enacted tower marking require-  
12 ments according to the Federal Avia-  
13 tion Administration’s recommended  
14 guidance for the voluntary marking of  
15 Meteorological Evaluation Towers  
16 (METs) erected in remote and rural  
17 areas that are less than 200 feet  
18 above ground level to enhance the  
19 conspicuity of the towers for low level  
20 agricultural operations in the vicinity  
21 of those towers.”.

22 **SEC. 6. LIMITATION OF LIABILITY FOR CERTAIN INDIVID-**  
23 **UALS DESIGNATED AS REPRESENTATIVES OF**  
24 **THE FEDERAL AVIATION ADMINISTRATION.**

25 (a) IN GENERAL.—Any individual designated by the  
26 Administrator of the Federal Aviation Administration

1 under subpart C of part 183 of title 14, Code of Federal  
2 Regulations, to act as a representative of the Adminis-  
3 trator, including an aviation medical examiner, pilot exam-  
4 iner, or designated airworthiness representative, shall,  
5 when carrying out duties pursuant to that designation and  
6 without regard to the individual's employer—

7           (1) be considered to be performing an activity  
8           necessary to safeguard a uniquely Federal interest;  
9           and

10           (2) not be liable in a civil action for actions per-  
11           formed with reasonable care in connection with those  
12           duties.

13           (b) FRAUDULENT MISCONDUCT.—This section does  
14 not relieve an individual described in subsection (a) that  
15 causes harm to any person through intentional or fraudu-  
16 lent misconduct while carrying out duties described under  
17 that subsection from any penalty applicable under any  
18 provision of law for that misconduct.

19           (c) ACTIVITY COVERED.—This section shall only  
20 apply to those individuals carrying out their duties within  
21 the United States or its territories.

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