

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To require the Administrator of the Federal Aviation Administration to allow a volunteer pilot organization to reimburse a volunteer pilot for certain aircraft operating expenses incurred by the pilot when making a flight in support of the volunteer pilot organization’s mission, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. BUDD introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To require the Administrator of the Federal Aviation Administration to allow a volunteer pilot organization to reimburse a volunteer pilot for certain aircraft operating expenses incurred by the pilot when making a flight in support of the volunteer pilot organization’s mission, 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 “Volunteer Pilot Sup-  
5 port Act”.

1 **SEC. 2. REIMBURSEMENT OF CERTAIN OPERATIONAL**  
2 **COSTS FOR CHARITABLE FLIGHTS.**

3 (a) IN GENERAL.—Not later than 180 days after the  
4 date of enactment of this Act, the Administrator shall  
5 issue or revise regulations as necessary to allow a volun-  
6 teer pilot to accept reimbursement for a covered oper-  
7 ational cost if—

8 (1) such pilot operates a covered flight; and

9 (2) such pilot or volunteer pilot organization  
10 notifies each passenger that the flight is for chari-  
11 table purposes and is not subject to the same safety  
12 requirements as a flight operated by an air carrier  
13 or a commercial operator certified by the Adminis-  
14 trator.

15 (b) ADDITIONAL REQUIREMENTS.—

16 (1) VOLUNTEER PILOT ORGANIZATION.—A vol-  
17 unteer pilot organization may impose eligibility re-  
18 quirements that exceed the applicable eligibility re-  
19 quirements described in under subsection (f)(6)(B)  
20 and the general operating rules in part 91 of title  
21 14, Code of Federal Regulations, without being con-  
22 sidered an air carrier, a commercial operator, or  
23 common carrier.

24 (2) REQUIREMENTS FOR REGULATIONS.—In  
25 issuing or revising regulations under subsection (a),  
26 the Administrator—

1 (A) shall create an exception for a volun-  
2 teer pilot organization that arranges a covered  
3 flight and a volunteer pilot who receives a cov-  
4 ered operational cost for a covered flight  
5 from—

6 (i) the certificate requirements under  
7 parts 119 and 125 of title 14, Code of  
8 Federal Regulations; and

9 (ii) the operating requirements under  
10 parts 121, 125, and 135 of title 14, Code  
11 of Federal Regulations; and

12 (B) may not impose on a volunteer pilot or  
13 volunteer pilot organization any operating re-  
14 quirements, aircraft qualifications, or pilot  
15 qualifications to conduct a covered flight that  
16 are in addition to the requirements under this  
17 section and the requirements under the general  
18 operating rules in part 91 of title 14, Code of  
19 Federal Regulations.

20 (c) EFFECT ON EXISTING REGULATIONS.—For the  
21 purposes of this section:

22 (1) A volunteer pilot receiving a covered oper-  
23 ational cost for a covered flight—

24 (A) does not constitute common carriage  
25 (as such term is used in title 49, United States

1 Code, and title 14, Code of Federal Regula-  
2 tions); and

3 (B) does not constitute a flight operation  
4 for compensation or hire (as such term is used  
5 in title 49, United States Code, and title 14,  
6 Code of Federal Regulations).

7 (2) A covered operational cost is not compensa-  
8 tion (as such term is used in title 49, United States  
9 Code, and title 14, Code of Federal Regulations).

10 (d) PROHIBITION ON FAA ENFORCEMENT AC-  
11 TIONS.—Beginning on the date that is 1 year after the  
12 date of enactment of this Act, the Administrator may not  
13 take an enforcement action against a volunteer pilot or  
14 a volunteer pilot organization if such pilot meets, through  
15 a good faith effort, the applicable eligibility requirements  
16 described in subsections (a)(2) and (f)(6)(B), unless the  
17 Administrator has published final regulations in the Fed-  
18 eral Register as required by subsection (a).

19 (e) EFFECT ON OTHER FAA AUTHORITY.—

20 (1) EFFECT ON EXISTING EXEMPTION AUTHOR-  
21 ITY.—Except as provided in paragraph (2), nothing  
22 in this section shall—

23 (A) affect the authority of the Adminis-  
24 trator to exempt a pilot (exercising the privilege  
25 of a private pilot certificate issued under part

1           61 of title 14, Code of Federal Regulations)  
2           from a restriction on receiving reimbursement;  
3           or

4                   (B) affect any such exemptions existing be-  
5           fore the date of enactment of this Act.

6           (2) NO CHANGES TO EXISTING FAA EXEMP-  
7           TIONS; EXCEPTION.—

8                   (A) IN GENERAL.—Except as provided in  
9           subparagraph (C), the Administrator may not  
10          modify or revoke a covered exemption during  
11          the period described in subparagraph (D) with-  
12          out the consent of the person holding the cov-  
13          ered exemption.

14                   (B) EXPIRATION DATE.—The expiration  
15          date of a covered exemption shall be extended  
16          through the date that is 30 days after the end  
17          of the period described in subparagraph (D).

18                   (C) EXCEPTION.—The Administrator may  
19          modify or revoke a covered exemption after the  
20          Administrator brings an administrative or legal  
21          enforcement action against a person operating a  
22          flight under such exemption for—

23                           (i) violating the terms of such exemp-  
24          tion; or

1 (ii) in the course of a flight operating  
2 under such exemption, violating any other  
3 law or regulation.

4 (D) PERIOD DESCRIBED.—The period de-  
5 scribed in this subparagraph is the period be-  
6 ginning on the date of enactment of this Act  
7 and ending on the date the Administrator pub-  
8 lishes final regulations in the Federal Register  
9 as required by subsection (a).

10 (E) COVERED EXEMPTION DEFINED.—In  
11 this paragraph, the term “covered exemption”  
12 means an exemption issued before the date of  
13 enactment of this Act by the Administrator to  
14 a volunteer pilot organization that provides an  
15 exemption from the applicability of section  
16 61.113(c) of title 14, Code of Federal Regula-  
17 tions, and expressly includes an exemption de-  
18 scribed on page 12233 of volume 78 of the Fed-  
19 eral Register and published on February 22,  
20 2013.

21 (3) EFFECT ON OTHER VOLUNTEER  
22 FLIGHTS.—Nothing in this section shall impose or  
23 authorize the imposition of any additional require-  
24 ments on a flight that is arranged by a volunteer  
25 pilot organization in which the pilot in command is

1 not reimbursed or the pilot in command pays a pro  
2 rata share of expenses as described under section  
3 61.113(c) of title 14, Code of Federal Regulations.

4 (f) DEFINITIONS.—In this section:

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

8 (2) AIR CARRIER; AIRCRAFT; AIRPORT.—The  
9 terms “air carrier”, “aircraft”, and “airport” have  
10 the meanings given those terms in section 40102 of  
11 title 49, United States Code.

12 (3) COMMERCIAL OPERATOR.—The term “com-  
13 mercial operator” has the meaning given such term  
14 in section 1.1 of title 14, Code of Federal Regula-  
15 tions.

16 (4) COVERED FLIGHT.—The term “covered  
17 flight”—

18 (A) means a flight that is operated by a  
19 volunteer pilot in any airworthy aircraft in sup-  
20 port of the mission of a volunteer pilot organi-  
21 zation; and

22 (B) includes any flight or flight segment  
23 that is between the airport in which the aircraft  
24 for the covered flight is based and the airport

1 the passengers of a flight described in subpara-  
2 graph (A) board or disembark.

3 (5) COVERED OPERATIONAL COST.—The term  
4 “covered operational cost” means the following:

5 (A) A cost that is actually incurred in con-  
6 nection with a covered flight, including the fol-  
7 lowing:

8 (i) In the case of a volunteer pilot who  
9 rents the aircraft used for a covered flight,  
10 the cost of rental fees and other operating  
11 expenses not included in the rental fees  
12 that are incurred by such pilot for a cov-  
13 ered flight, except that such costs may not  
14 unreasonably exceed the cost of owning  
15 and operating the aircraft, which includes  
16 maintenance costs, storage fees, airport ex-  
17 penditures, and, for an owner that is in the  
18 business of renting aircraft, the cost of  
19 doing business and making a reasonable  
20 profit.

21 (ii) In the case of a volunteer pilot  
22 who does not rent the aircraft used for a  
23 covered flight, the cost of fuel, oil, and air-  
24 port expenditures incurred by such pilot  
25 for a covered flight.



1 (iii) Meals, lodging, and related ex-  
2 penses.

3 (B) Any nonmonetary benefit that may be  
4 considered compensation (as such term is used  
5 in title 49, United States Code, and title 14,  
6 Code of Federal Regulations), including logged  
7 flight hours, goodwill, any applicable tax deduc-  
8 tion permitted under the Internal Revenue Code  
9 of 1986, and any other indirect economic ben-  
10 efit.

11 (6) VOLUNTEER PILOT.—

12 (A) IN GENERAL.—The term “volunteer  
13 pilot” means a person who—

14 (i) acts as pilot in command of a cov-  
15 ered flight; and

16 (ii) meets each applicable eligibility  
17 requirement described in subparagraph  
18 (B).

19 (B) ELIGIBILITY REQUIREMENTS DE-  
20 SCRIBED.—The applicable eligibility require-  
21 ments described in this subparagraph are the  
22 following:

23 (i) The volunteer pilot holds at least a  
24 private pilot certificate with appropriate  
25 category, class, and type rating (if a type

1 rating is applicable) issued under part 61  
2 of title 14, Code of Federal Regulations.

3 (ii) The volunteer pilot holds an in-  
4 strument rating or airline transport pilot  
5 certificate for the category of aircraft used  
6 for a covered flight issued under such part  
7 61.

8 (iii) The volunteer pilot logged at least  
9 500 hours as pilot in command in the cat-  
10 egory of aircraft used for a covered flight.

11 (iv) The volunteer pilot—

12 (I) holds a valid medical certifi-  
13 cate issued under part 67 of title 14,  
14 Code of Federal Regulations; or

15 (II) complies with the require-  
16 ments of section 61.113(i) of title 14,  
17 Code of Federal Regulations.

18 (7) VOLUNTEER PILOT ORGANIZATION.—The  
19 term “volunteer pilot organization” means an orga-  
20 nization that—

21 (A) is described in section 501(c)(3) of the  
22 Internal Revenue Code of 1986 (26 U.S.C.  
23 501(c)(3)) and is exempt from taxation under  
24 section 501(a) of such Code; and

1 (B) arranges or coordinates flights by vol-  
2 unteer pilots for purposes described in such sec-  
3 tion 501(c)(3).