

FAA Transportation Modernization and Safety Improvement Act – Summary

Title I: Authorizations and Financing

- Reauthorizes all of the FAA’s four major accounts: Operations; Research, Engineering, and Development (R,E&D); Facilities & Equipment (F&E); and the Airport Improvement Program (AIP) through fiscal year (FY) 2011.

Account Authorizations		
<i>In millions of dollar.</i>	2010	2011
Operations	9,336	9,620
Research, Engineering & Development	200	206
Facilities & Equipment	3,500	3,600
Airport Improvement Program	4,000	4,100
Total	17,036	17,526

Title II: Airport Improvements

- Streamlines the Passenger Facility Charge (PFC) process by simplifying approval requirements for imposing or amending PFCs, while still retaining audit controls, and FAA project and expenditure oversight.
- Provides greater flexibility for the use of various AIP entitlement funding, and establishes a number of pilot programs to consider concepts for strengthening the program.
- Allows AIP funds to be used to purchase bird detecting radar systems if the FAA Administrator determines they would have no negative impact on existing navigation aids

Title III: Air Traffic Control Modernization and FAA Reform

- Establishes clear deadlines for the adoption of existing NextGen navigation and surveillance technology. For example, the development of Required Navigation Performance (RNP) and Area

Navigation (RNAV) procedures at the top 35 airports must be completed by 2014, with the entire National Airspace System (NAS) required to be covered by 2018.

- Directs the FAA to accelerate planned timelines for integrating Automatic Dependent Surveillance-Broadcast (ADS-B) technology into the NAS, requiring the use of “ADS-B Out” on all aircraft by 2015 and the use of “ADS-B In” on all aircraft by 2018.
- Creates an “Air Traffic Control Modernization Oversight Board” to provide better oversight of FAA’s modernization activities.
- Establishes a “Chief NextGen Officer” position at FAA to be responsible for the implementation of all NextGen programs, and requires federal agencies participating in NextGen to designate a single office in their department to be accountable for NextGen.
- Requires the FAA to complete a comprehensive study of how the agency will realign or consolidate ATC facilities as it implements NextGen.
- Establishes a new process to make certain collective bargaining labor disputes at the FAA are adequately resolved through mediation and arbitration, if necessary.

Title IV: Airline Service and Small Community Service Improvements

- Requires air carriers and airport operators to develop contingency plans for situations in which an aircraft is substantially delayed while passengers are confined to that aircraft.
- Mandates that an air carrier permit passengers to deplane after three hours of delay, unless the pilot determines the flight will leave within 30 minutes after the three hour delay or if there is a safety or security concern with doing so.
- Mandates improved disclosure of flight information when tickets are purchased, and requires a rulemaking that directs air carriers

provide the public with a list of passenger charges, besides airfare (i.e. baggage fees and meal fees), that may be imposed by the air carrier.

- Proposes a number of improvements to the Essential Air Service (EAS) program to allow communities greater flexibility in attracting desired air service.
- Substantially increases authorized funding for EAS to \$175 million annually, a \$48 million increase. Maintains support for the Small Community Air Service Development Program (SCASDP) which is authorized at \$35 million annually through FY 2011.

Title V: Aviation Safety

- Takes steps to ensure “one level of safety” exists in commercial aircraft operations by mandating that all carriers adopt Aviation Safety Action Programs (ASAP), Flight Operational Quality Assurance (FOQA) and Line Operations Safety Audit (LOSA) programs. Other mandates include: requiring air carriers to examine a pilot’s entire flight history when considering hiring an individual; annual reporting on the implementation of NTSB recommendations, and; the reevaluation of flight crew training, testing and certification requirements.
- Requires the FAA develop a plan to provide runway incursion information to pilots in the cockpit, and initiate improved processes for tracking and investigating operational errors.
- Improves safety for air emergency medical service operations by mandating the FAA standardize dispatch procedures, and requiring the use of, (a) terrain awareness and warning systems, (b) and flight data and cockpit voice recorders on board such aircraft.
- Addresses inconsistent application of Airworthiness Directives (ADs) by: improving voluntary disclosure reporting processes to ensure adequate actions are taken in response to reports; limiting the ability of FAA inspectors to work for air carriers for which they

had oversight; and conducting independent reviews of safety issues identified by employees.

- Requires enhanced safety oversight of foreign repair stations. FAA must conduct a minimum of two inspections annually, with exceptions for certain nations that have comprehensive bilateral aviation safety maintenance agreements in the United States. It also requires alcohol and drug testing at any foreign facilities that perform maintenance on U.S. commercial aircraft.

Title VI: Aviation Research

- Promotes research activities of the FAA including the creation of a committee on the future of aeronautics
- Instructs the FAA to create a plan for the incorporation of Unmanned Aerial Systems (UASs) in the NAS.
- Strengthens environmental support for the aviation industry by initiating and extending a number of programs aimed at reducing civilian aircraft noise, emissions, and energy.

Title VII: Miscellaneous

- Extends the aviation war risk insurance program.