

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To provide for fatigue risk management plans for flight attendants by air carriers.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.****S. 2658**

To amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2106 through 2017, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BLUMENTHAL

Viz:

- 1 At the end of section 2306, add the following:
- 2 (d) FATIGUE RISK MANAGEMENT PLAN.—
- 3 (1) SUBMISSION OF PLAN BY PART 121 AIR CAR-
- 4 RIERS.—Not later than 90 days after the date of the
- 5 enactment of this Act, each air carrier operating
- 6 under part 121 of title 13, Code of Federal Regula-
- 7 tions (referred to in this subsection as a “part 121
- 8 air carrier”), shall submit a fatigue risk manage-
- 9 ment plan for the carrier’s flight attendants to the
- 10 Administrator for review and acceptance.

1           (2) CONTENTS OF PLAN.—Each fatigue risk  
2 management plan submitted under paragraph (1)  
3 shall include—

4           (A) current flight time and duty period  
5 limitations;

6           (B) a rest scheme that is consistent with  
7 such limitations and enables the management of  
8 flight attendant fatigue, including annual train-  
9 ing to increase awareness of—

10                   (i) fatigue;

11                   (ii) the effects of fatigue on flight at-  
12 tendants; and

13                   (iii) fatigue countermeasures; and

14           (C) the development and use of method-  
15 ology that continually assesses the effectiveness  
16 of implementation of the plan, including the  
17 ability of the plan—

18                   (i) to improve alertness; and

19                   (ii) to mitigate performance errors.

20           (3) REVIEW.—Not later than 1 year after the  
21 date of the enactment of this Act, the Administrator  
22 shall—

23           (A) review each fatigue risk management  
24 plan submitted under this subsection; and

25           (B)(i) accept the plan; or

1 (ii) reject the plan and provide the part  
2 121 air carrier with suggested modifications to  
3 be included when the plan is resubmitted.

4 (4) PLAN UPDATES.—

5 (A) IN GENERAL.—Not less frequently  
6 than once every 2 years, each part 121 air car-  
7 rier shall—

8 (i) update the fatigue risk manage-  
9 ment plan submitted under paragraph (1);  
10 and

11 (ii) submit the update plan to the Ad-  
12 ministrator for review and acceptance.

13 (B) REVIEW.—Not later than 1 year after  
14 the date on which an updated plan is submitted  
15 under subparagraph (A)(ii), the Administrator  
16 shall—

17 (i) review the updated plan; and

18 (ii)(I) accept the updated plan; or

19 (II) reject the updated plan and pro-  
20 vide the part 121 air carrier with sug-  
21 gested modifications to be included when  
22 the updated plan is resubmitted.

23 (5) COMPLIANCE.—Each part 121 air carrier  
24 shall comply with its fatigue risk management plan

1 after the plan is accepted by the Administrator  
2 under this subsection.

3 (6) CIVIL PENALTIES.—A violation of this sub-  
4 section by a part 121 air carrier shall be treated as  
5 a violation of chapter 447 of title 49, United States  
6 Code, for the purpose of applying civil penalties  
7 under chapter 463 of such title.