

Public Law 108–176
108th Congress

An Act

Dec. 12, 2003
[H.R. 2115]

To amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Vision 100—
Century of
Aviation
Reauthorization
Act.
49 USC 40101
note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Vision 100—Century of Aviation Reauthorization Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Amendments to title 49, United States Code.
- Sec. 3. Applicability.
- Sec. 4. Findings.

TITLE I—AIRPORT AND AIRWAY IMPROVEMENTS

Subtitle A—Funding of FAA Programs

- Sec. 101. Airport planning and development and noise compatibility planning and programs.
- Sec. 102. Air navigation facilities and equipment.
- Sec. 103. Federal Aviation Administration operations.
- Sec. 104. Funding for aviation programs.
- Sec. 105. Agreements for operation of airport facilities.
- Sec. 106. Insurance.

Subtitle B—Passenger Facility Fees

- Sec. 121. Low-emission airport vehicles and ground support equipment.
- Sec. 122. Use of fees to pay debt service.
- Sec. 123. Streamlining of the passenger facility fee program.
- Sec. 124. Financial management of passenger facility fees.

Subtitle C—AIP Modifications

- Sec. 141. Airfield pavement.
- Sec. 142. Replacement of baggage conveyor systems.
- Sec. 143. Authority to use certain funds for airport security programs and activities.
- Sec. 144. Grant assurances.
- Sec. 145. Clarification of allowable project costs.
- Sec. 146. Apportionments to primary airports.
- Sec. 147. Cargo airports.
- Sec. 148. Considerations in making discretionary grants.
- Sec. 149. Flexible funding for nonprimary airport apportionments.
- Sec. 150. Use of apportioned amounts.
- Sec. 151. Increase in apportionment for, and flexibility of, noise compatibility planning programs.
- Sec. 152. Pilot program for purchase of airport development rights.
- Sec. 153. Military airport program.
- Sec. 154. Airport safety data collection.
- Sec. 155. Airport privatization pilot program.
- Sec. 156. Innovative financing techniques.
- Sec. 157. Airport security program.

- Sec. 806. Government-financed air transportation.
- Sec. 807. Air carrier citizenship.
- Sec. 808. United States presence in global air cargo industry.
- Sec. 809. Availability of aircraft accident site information.
- Sec. 810. Notice concerning aircraft assembly.
- Sec. 811. Type certificates.
- Sec. 812. Reciprocal airworthiness certification.
- Sec. 813. International role of the FAA.
- Sec. 814. Flight attendant certification.
- Sec. 815. Air quality in aircraft cabins.
- Sec. 816. Recommendations concerning travel agents.
- Sec. 817. Reimbursement for losses incurred by general aviation entities.
- Sec. 818. International air show.
- Sec. 819. Report on certain market developments and government policies.
- Sec. 820. International air transportation.
- Sec. 821. Reimbursement of air carriers for certain screening and related activities.
- Sec. 822. Charter airlines.
- Sec. 823. General aviation flights at Ronald Reagan Washington National Airport.
- Sec. 824. Review of air carrier compensation.
- Sec. 825. Noise control plan for certain airports.
- Sec. 826. GAO report on airlines' actions to improve finances and on executive compensation.
- Sec. 827. Private air carriage in Alaska.
- Sec. 828. Report on waivers of preference for buying goods produced in the United States.
- Sec. 829. Navigation fees.

TITLE IX—EXTENSION OF AIRPORT AND AIRWAY TRUST FUND
EXPENDITURE AUTHORITY

- Sec. 901. Extension of expenditure authority.
- Sec. 902. Technical correction to flight segment.

SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. APPLICABILITY.

49 USC 106 note.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply only to fiscal years beginning after September 30, 2003.

SEC. 4. FINDINGS.

49 USC 40101 note.

Congress finds the following:

(1) The United States has revolutionized the way people travel, developing new technologies and aircraft to move people more efficiently and more safely.

(2) Past Federal investment in aeronautics research and development has benefited the economy and national security of the United States and the quality of life of its citizens.

(3) The total impact of civil aviation on the United States economy exceeds \$900,000,000,000 annually and accounts for 9 percent of the gross national product and 11,000,000 jobs in the national workforce. Civil aviation products and services generate a significant surplus for United States trade accounts, and amount to significant numbers of the Nation's highly skilled, technologically qualified work force.

(4) Aerospace technologies, products, and services underpin the advanced capabilities of our men and women in uniform and those charged with homeland security.

(5) Future growth in civil aviation increasingly will be constrained by concerns related to aviation system safety and

security, aviation system capabilities, aircraft noise, emissions, and fuel consumption.

(6) Revitalization and coordination of the United States efforts to maintain its leadership in aviation and aeronautics are critical and must begin now.

(7) A recent report by the Commission on the Future of the United States Aerospace Industry outlined the scope of the problems confronting the aerospace and aviation industries in the United States and found that—

(A) aerospace will be at the core of the Nation’s leadership and strength throughout the 21st century;

(B) aerospace will play an integral role in the Nation’s economy, security, and mobility; and

(C) global leadership in aerospace is a national imperative.

(8) Despite the downturn in the global economy, projections of the Federal Aviation Administration indicate that upwards of 1,000,000,000 people will fly annually by 2013. Efforts must begin now to prepare for future growth in the number of airline passengers.

(9) The United States must increase its investment in research and development to revitalize the aviation and aerospace industries, to create jobs, and to provide educational assistance and training to prepare workers in those industries for the future.

TITLE I—AIRPORT AND AIRWAY IMPROVEMENTS

Subtitle A—Funding of FAA Programs

SEC. 101. AIRPORT PLANNING AND DEVELOPMENT AND NOISE COMPATIBILITY PLANNING AND PROGRAMS.

(a) **AUTHORIZATION.**—Section 48103 is amended—

(1) by striking “September 30, 1998” and inserting “September 30, 2003”; and

(2) by striking paragraphs (1) through (5) and inserting the following:

“(1) \$3,400,000,000 for fiscal year 2004;

“(2) \$3,500,000,000 for fiscal year 2005;

“(3) \$3,600,000,000 for fiscal year 2006; and

“(4) \$3,700,000,000 for fiscal year 2007.”.

(b) **OBLIGATIONAL AUTHORITY.**—Section 47104(c) is amended by striking “September 30, 2003” and inserting “September 30, 2007”.

SEC. 102. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101 is amended—

(1) in subsection (a) by striking paragraphs (1) through (5) and inserting the following:

“(1) \$3,138,000,000 for fiscal year 2004;

“(2) \$2,993,000,000 for fiscal year 2005;

“(3) \$3,053,000,000 for fiscal year 2006; and

“(4) \$3,110,000,000 for fiscal year 2007.”;

rule requiring the dissemination to the general public of any flight-specific fare;”.

49 USC 329 note.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date of the issuance of a final rule to modernize the Origin and Destination Survey of Airline Passenger Traffic, pursuant to the Advance Notice of Proposed Rulemaking published July 15, 1998 (Regulation Identifier Number 2105-AC71), that reduces the reporting burden for air carriers through electronic filing of the survey data collected under section 329(b)(1) of title 49, United States Code.

SEC. 806. GOVERNMENT-FINANCED AIR TRANSPORTATION.

Section 40118(f)(2) is amended by inserting before the period at the end the following: “, except that it shall not include a contract for the transportation by air of passengers”.

SEC. 807. AIR CARRIER CITIZENSHIP.

Section 40102(a)(15)(C) is amended by inserting “which is under the actual control of citizens of the United States,” before “and in which”.

SEC. 808. UNITED STATES PRESENCE IN GLOBAL AIR CARGO INDUSTRY.

Section 41703 is amended by adding at the end the following: “(e) **CARGO IN ALASKA.**—

“(1) **IN GENERAL.**—For the purposes of subsection (c), eligible cargo taken on or off any aircraft at a place in Alaska in the course of transportation of that cargo by any combination of 2 or more air carriers or foreign air carriers in either direction between a place in the United States and a place outside the United States shall not be deemed to have broken its international journey in, be taken on in, or be destined for Alaska.

“(2) **ELIGIBLE CARGO.**—For purposes of paragraph (1), the term ‘eligible cargo’ means cargo transported between Alaska and any other place in the United States on a foreign air carrier (having been transported from, or thereafter being transported to, a place outside the United States on a different air carrier or foreign air carrier) that is carried—

“(A) under the code of a United States air carrier providing air transportation to Alaska;

“(B) on an air carrier way bill of an air carrier providing air transportation to Alaska;

“(C) under a term arrangement or block space agreement with an air carrier; or

“(D) under the code of a United States air carrier for purposes of transportation within the United States.”.

SEC. 809. AVAILABILITY OF AIRCRAFT ACCIDENT SITE INFORMATION.

(a) **DOMESTIC AIR TRANSPORTATION.**—Section 41113(b) is amended—

(1) in paragraph (16) by striking “the air carrier” the third place it appears; and

(2) by adding at the end the following:

“(17)(A) An assurance that, in the case of an accident that results in significant damage to a manmade structure or other property on the ground that is not government-owned, the air carrier will promptly provide notice, in writing, to

Notice.

the extent practicable, directly to the owner of the structure or other property about liability for any property damage and means for obtaining compensation.

“(B) At a minimum, the written notice shall advise an owner (i) to contact the insurer of the property as the authoritative source for information about coverage and compensation; (ii) to not rely on unofficial information offered by air carrier representatives about compensation by the air carrier for accident-site property damage; and (iii) to obtain photographic or other detailed evidence of property damage as soon as possible after the accident, consistent with restrictions on access to the accident site.

“(18) An assurance that, in the case of an accident in which the National Transportation Safety Board conducts a public hearing or comparable proceeding at a location greater than 80 miles from the accident site, the air carrier will ensure that the proceeding is made available simultaneously by electronic means at a location open to the public at both the origin city and destination city of the air carrier’s flight if that city is located in the United States.”.

Electronic
information.

(b) FOREIGN AIR TRANSPORTATION.—Section 41313(c) is amended by adding at the end the following:

“(17) NOTICE CONCERNING LIABILITY FOR MANMADE STRUCTURES.—

“(A) IN GENERAL.—An assurance that, in the case of an accident that results in significant damage to a man-made structure or other property on the ground that is not government-owned, the foreign air carrier will promptly provide notice, in writing, to the extent practicable, directly to the owner of the structure or other property about liability for any property damage and means for obtaining compensation.

“(B) MINIMUM CONTENTS.—At a minimum, the written notice shall advise an owner (i) to contact the insurer of the property as the authoritative source for information about coverage and compensation; (ii) to not rely on unofficial information offered by foreign air carrier representatives about compensation by the foreign air carrier for accident-site property damage; and (iii) to obtain photographic or other detailed evidence of property damage as soon as possible after the accident, consistent with restrictions on access to the accident site.

“(18) SIMULTANEOUS ELECTRONIC TRANSMISSION OF NTSB HEARING.—An assurance that, in the case of an accident in which the National Transportation Safety Board conducts a public hearing or comparable proceeding at a location greater than 80 miles from the accident site, the foreign air carrier will ensure that the proceeding is made available simultaneously by electronic means at a location open to the public at both the origin city and destination city of the foreign air carrier’s flight if that city is located in the United States.”.

(c) UPDATE PLANS.—Air carriers and foreign air carriers shall update their plans under sections 41113 and 41313 of title 49, United States Code, respectively, to reflect the amendments made by subsections (a) and (b) of this section not later than 90 days after the date of enactment of this Act.

Deadline.
49 USC 41113
note.