may not be more stringent than the requirement for foreign air carriers.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1287.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
47508(a)	49 App.:2122(a) (1st sentence words before last comma, last sentence).	Feb. 18, 1980, Pub. L. 96–193, § 302(a), 94 Stat. 56.
47508(b)	49 App.:2122(a) (1st sentence words after last comma).	
47508(c)	49 App.:2122(a) (2d sentence).	

In this section, the word ''providing'' is substituted for ''engaging in'' for consistency in the revised title.

In subsection (a), the words ''acting through the Administrator'' and ''acting through the Administrator of the Federal Aviation Administration (14 CFR part 36)'' are omitted for consistency. Section 6(c)(1) of the Department of Transportation Act (Public Law 89–670, 80 Stat. 938) transferred all duties and powers of the Federal Aviation Agency and the Administrator to the Secretary of Transportation. However, the Secretary was to carry out certain provisions through the Administrator. In addition, various laws enacted since then have vested duties and powers in the Administrator. All provisions of law the Secretary is required to carry out through the Administrator are included in 49:106(g). Before clause (1), the words ''If, by January 1, 1980, the International Civil Aviation Organization (hereafter referred to as 'ICAO') does not reach an agreement'' and ''commence a rulemaking to'' and 49 App.:2122(a) (last sentence) are omitted as executed. In clause (1), the words ''as such regulations were'' are omitted as surplus. In clause (2), the words ''on noise standards and an international schedule'' and ''(annex 16)'' are omitted as surplus. The words ''of the Secretary for new subsonic aircraft in regulations of the Secretary at parts 36 and 91 of title 14, Code of Federal Regulations, prescribed between January 2, 1977, and January 1, 1982'' are substituted for ''set forth in such regulations issued by the Secretary (14 CFR parts 36 and 91) during the 5-year period thereafter'' for clarity and consistency.

In subsection (b), the words ''in effect'' are omitted as surplus.

IMPLEMENTATION OF CHAPTER 4 NOISE STANDARDS

Pub. L. 108–176, title III, § 325, Dec. 12, 2003, 117 Stat. 2542, provided that: ''Not later than April 1, 2005, the Secretary of Transportation shall issue final regulations to implement Chapter 4 noise standards, consistent with the recommendations adopted by the International Civil Aviation Organization.''

STANDARDS FOR AIRCRAFT AND AIRCRAFT ENGINES TO REDUCE NOISE LEVELS

Pub. L. 106–181, title VII, § 726, Apr. 5, 2000, 114 Stat. 167, as amended by Pub. L. 113–188, title XV, § 1501(f), Nov. 26, 2014, 128 Stat. 2025, provided that:

''(a) DEVELOPMENT OF NEW STANDARDS.—The Secretary [of Transportation] shall continue to work to develop through the International Civil Aviation Organization new performance standards for aircraft and aircraft engines that will lead to a further reduction in aircraft noise levels.

''(b) GOALS TO BE CONSIDERED IN DEVELOPING NEW STANDARDS.—In negotiating standards under subsection (a), the Secretary shall give high priority to developing standards that—

''(1) are performance based and can be achieved by use of a full range of certifiable noise reduction technologies;

''(2) protect the useful economic value of existing Stage 3 aircraft in the United States fleet;

''(3) ensure that United States air carriers and aircraft engine and hushkit manufacturers are not competitively disadvantaged;

''(4) use dynamic economic modeling capable of determining impacts on all aircraft in service in the United States fleet; and

''(5) continue the use of a balanced approach to address aircraft environmental issues, taking into account aircraft technology, land use planning, economic feasibility, and airspace operational improvements.''

AIRCRAFT NOISE RESEARCH PROGRAM

Pub. L. 102–581, title III, § 304, Oct. 31, 1992, 106 Stat. 4896, as amended by Pub. L. 109–155, title VII, § 706(b), Dec. 30, 2005, 119 Stat. 2937, provided that:

''(a) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall jointly conduct a research program to develop new technologies for quieter subsonic jet aircraft engines and airframes.

''(b) GOAL.—The goal of the research program established by subsection (a) is to develop by the year 2010 technologies for subsonic jet aircraft engines and airframes which would permit a subsonic jet aircraft to operate at reduced noise levels.

''(c) PARTICIPATION.—In carrying out the program established by subsection (a), the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall encourage the participation of representatives of the aviation industry and academia.

''(d) REPORT TO CONGRESS.—The Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall jointly submit to Congress, on an annual basis during the term of the program established by subsection (a), a report on the progress being made under the program toward meeting the goal described in subsection (b).''

§ 47509. Research program on quiet aircraft technology for propeller and rotor driven aircraft

(a) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall conduct a study to identify technologies for noise reduction of propeller driven aircraft and rotorcraft.

(b) GOAL.—The goal of the study conducted under subsection (a) is to determine the status of research and development now underway in the area of quiet technology for propeller driven aircraft and rotorcraft, including technology that is cost beneficial, and to determine whether a research program to supplement existing research activities is necessary.

(c) PARTICIPATION.—In conducting the study required under subsection (a), the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall encourage the participation of the Department of Defense, the Department of the Interior, the airtour industry, the aviation industry, academia and other appropriate groups.

(d) REPORT.—Not less than 280 days after August 23, 1994, the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall transmit to Congress a report on

the results of the study required under subsection (a).

(e) RESEARCH AND DEVELOPMENT PROGRAM.—If the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration determine that additional research and development is necessary and would substantially contribute to the development of quiet aircraft technology, then the agencies shall conduct an appropriate research program in consultation with the entities listed in subsection (c) to develop safe, effective, and economical noise reduction technology (including technology that can be applied to existing propeller driven aircraft and rotorcraft) that would result in aircraft that operate at substantially reduced levels of noise to reduce the impact of such aircraft and rotorcraft on the resources of national parks and other areas.

(Added Pub. L. 103–305, title III, §308(a), Aug. 23, 1994, 108 Stat. 1593; amended Pub. L. 104–287, §5(86), Oct. 11, 1996, 110 Stat. 3398.)

AMENDMENTS

1996—Subsec. (d). Pub. L. 104–287 substituted ''August 23, 1994'' for ''the date of the enactment of this section''.

§ 47510. Tradeoff allowance

Notwithstanding another law or a regulation prescribed or order issued under that law, the tradeoff provisions contained in appendix C of part 36 of title 14, Code of Federal Regulations, apply in deciding whether an aircraft complies with subpart I of part 91 of title 14.

(Added Pub. L. 103–429, §6(72)(A), Oct. 31, 1994, 108 Stat. 4387.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
47510	49 App.:2125.	Feb. 18, 1980, Pub. L. 96–193, §305, 94 Stat. 57.

The word ''prescribed'' is added for consistency in the revised title and with other titles of the United States Code. The words ''subpart I of part 91'' are substituted for ''subpart E of part 91'' because of the restatement of part 91. See 54 Fed. Reg. 34321 (Aug. 18, 1989).

§ 47511. CLEEN engine and airframe technology partnership

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall enter into a cost-sharing cooperative agreement, using a competitive process, with institutions, entities, or consortiums to carry out a program for the development, maturation, and testing of certifiable CLEEN aircraft, engine technologies, and jet fuels for civil subsonic airplanes.

(b) CLEEN ENGINE AND AIRFRAME TECHNOLOGY DEFINED.—In this section, the term ''CLEEN aircraft and engine technology'' means continuous lower energy, emissions, and noise aircraft and engine technology.

(c) PERFORMANCE OBJECTIVE.—The Administrator shall establish the performance objectives for the program in terms of the specific objectives to reduce fuel burn, emissions and noise.

(Added Pub. L. 115–254, div. B, title VII, §743(a), Oct. 5, 2018, 132 Stat. 3413.)

SUBCHAPTER II—NATIONAL AVIATION NOISE POLICY

§ 47521. Findings

Congress finds that—

(1) aviation noise management is crucial to the continued increase in airport capacity;

(2) community noise concerns have led to uncoordinated and inconsistent restrictions on aviation that could impede the national air transportation system;

(3) a noise policy must be carried out at the national level;

(4) local interest in aviation noise management shall be considered in determining the national interest;

(5) community concerns can be alleviated through the use of new technology aircraft and the use of revenues, including those available from passenger facility charges, for noise management;

(6) revenues controlled by the United States Government can help resolve noise problems and carry with them a responsibility to the national airport system;

(7) revenues derived from a passenger facility charge may be applied to noise management and increased airport capacity; and

(8) a precondition to the establishment and collection of a passenger facility charge is the prescribing by the Secretary of Transportation of a regulation establishing procedures for reviewing airport noise and access restrictions on operations of stage 2 and stage 3 aircraft.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1287; Pub. L. 112–95, title I, §111(c)(2)(A)(vi), (B), Feb. 14, 2012, 126 Stat. 18.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
47521	49 App.:2151.	Nov. 5, 1990, Pub. L. 101–508, §9302, 104 Stat. 1388–378.

AMENDMENTS

2012—Par. (5). Pub. L. 112–95, §111(c)(2)(B), substituted ''charges'' for ''fees''.

Pars. (7), (8). Pub. L. 112–95, §111(c)(2)(A)(vi), substituted ''charge'' for ''fee''.

AUTHORIZATION OF CERTAIN FLIGHTS BY STAGE 2 AIRCRAFT

Pub. L. 115–254, div. B, title I, §172, Oct. 5, 2018, 132 Stat. 3227, provided that:

''(a) IN GENERAL.—Notwithstanding chapter 475 of title 49, United States Code, not later than 180 days after the date of enactment of this Act [Oct. 5, 2018], the Administrator of the Federal Aviation Administration shall initiate a pilot program to permit an operator of a stage 2 aircraft to operate that aircraft in nonrevenue service into not more than 4 medium hub airports or nonhub airports if—

''(1) the airport—

''(A) is certified under part 139 of title 14, Code of Federal Regulations;

''(B) has a runway that—

''(i) is longer than 8,000 feet and not less than 200 feet wide; and

''(ii) is load bearing with a pavement classification number of not less than 38; and

''(C) has a maintenance facility with a maintenance certificate issued under part 145 of such title; and