

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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 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

“(2) the operator of the stage 2 aircraft operates not more than 10 flights per month using that aircraft.

“(b) TERMINATION.—The pilot program shall terminate on the earlier of—

“(1) the date that is 10 years after the date of the enactment of this Act [Oct. 5, 2018]; or

“(2) the date on which the Administrator determines that no stage 2 aircraft remain in service.

“(c) DEFINITIONS.—In this section:

“(1) MEDIUM HUB AIRPORT; NONHUB AIRPORT.—The terms ‘medium hub airport’ and ‘nonhub airport’ have the meanings given those terms in section 40102 of title 49, United States Code.

“(2) STAGE 2 AIRCRAFT.—The term ‘stage 2 aircraft’ has the meaning given the term ‘stage 2 airplane’ in section 91.851 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act [Oct. 5, 2018]).”

§ 47522. Definitions

In this subchapter—

(1) “air carrier”, “air transportation”, and “United States” have the same meanings given those terms in section 40102(a) of this title.

(2) “stage 3 noise levels” means the stage 3 noise levels in part 36 of title 14, Code of Federal Regulations, in effect on November 5, 1990.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1288.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 47522, 49 App.:2157(h), Nov. 5, 1990, Pub. L. 101-508, §9308(h), 104 Stat. 1388-384.

The definitions are made applicable to all of subchapter II, rather than only to those provisions based on 49 App.:2157 as in the source provisions, because the defined terms appear in several sections of subchapter II and it is assumed they are intended to have the same meaning in each of those sections.

§ 47523. National aviation noise policy

(a) GENERAL REQUIREMENTS.—Not later than July 1, 1991, the Secretary of Transportation shall establish by regulation a national aviation noise policy that considers this subchapter, including the phaseout and nonaddition of stage 2 aircraft as provided in this subchapter and dates for carrying out that policy and reporting requirements consistent with this subchapter and law existing as of November 5, 1990.

(b) DETAILED ECONOMIC ANALYSIS.—The policy shall be based on a detailed economic analysis of