

(2) **TRANSPORT AIRPLANE.**—The term “transport airplane” means a transport category airplane designed for operation by an air carrier or foreign air carrier type-certificated with a passenger seating capacity of 30 or more or an all-cargo or combi derivative of such an airplane.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2021 through 2023.

(Added Pub. L. 116-260, div. V, title I, §107(a), Dec. 27, 2020, 134 Stat. 2320.)

REFERENCES IN TEXT

Section 102 of the Aircraft Certification, Safety, and Accountability Act, referred to in subsec. (e)(2)(B), is section 102 of title I of Pub. L. 116-260, div. V, Dec. 27, 2020, 134 Stat. 2309. Section 102(a)–(f) of Pub. L. 116-260 is set out as a note under section 44701 of this title, and section 102(g) of Pub. L. 116-260 amended section 44735 of this title.

The date of enactment of this section, referred to in subsec. (f)(2), is the date of enactment of Pub. L. 116-260, which was approved Dec. 27, 2020.

§ 44742. Interference with the duties of organization designation authorization unit members

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall continuously seek to eliminate or minimize interference by an ODA holder that affects the performance of authorized functions by ODA unit members.

(b) **PROHIBITION.**—

(1) **IN GENERAL.**—It shall be unlawful for any individual who is a supervisory employee of an ODA holder that manufactures a transport category airplane to commit an act of interference with an ODA unit member’s performance of authorized functions.

(2) **CIVIL PENALTY.**—

(A) **INDIVIDUALS.**—An individual shall be subject to a civil penalty under section 46301(a)(1) for each violation under paragraph (1).

(B) **SAVINGS CLAUSE.**—Nothing in this paragraph shall be construed as limiting or constricting any other authority of the Administrator to pursue an enforcement action against an individual or organization for violation of applicable Federal laws or regulations of the Administration.

(c) **REPORTING.**—

(1) **REPORTS TO ODA HOLDER.**—An ODA unit member of an ODA holder that manufactures a transport category airplane shall promptly report any instances of interference to the office of the ODA holder that is designated to receive such reports.

(2) **REPORTS TO THE FAA.**—

(A) **IN GENERAL.**—The ODA holder office described in paragraph (1) shall investigate reports and submit to the office of the Administration designated by the Administrator to accept and review such reports any instances of interference reported under paragraph (1).

(B) **CONTENTS.**—The Administrator shall prescribe parameters for the submission of

reports to the Administration under this paragraph, including the manner, time, and form of submission. Such report shall include the results of any investigation conducted by the ODA holder in response to a report of interference, a description of any action taken by the ODA holder as a result of the report of interference, and any other information or potentially mitigating factors the ODA holder or the Administrator deems appropriate.

(d) **DEFINITIONS.**—

(1) **GENERAL APPLICABILITY.**—The definitions contained in section 44736(c) shall apply to this section.

(2) **INTERFERENCE.**—In this section, the term “interference” means—

(A) blatant or egregious statements or behavior, such as harassment, beratement, or threats, that a reasonable person would conclude was intended to improperly influence or prejudice an ODA unit member’s performance of his or her duties; or

(B) the presence of non-ODA unit duties or activities that conflict with the performance of authorized functions by ODA unit members.

(Added Pub. L. 116-260, div. V, title I, §107(a), Dec. 27, 2020, 134 Stat. 2323.)

§ 44743. Pilot training requirements

(a) **IN GENERAL.**—

(1) **ADMINISTRATOR’S DETERMINATION.**—In establishing any pilot training requirements with respect to a new transport airplane, the Administrator of the Federal Aviation Administration shall independently review any proposal by the manufacturer of such airplane with respect to the scope, format, or minimum level of training required for operation of such airplane.

(2) **ASSURANCES AND MARKETING REPRESENTATIONS.**—Before the Administrator has established applicable training requirements, an applicant for a new or amended type certificate for an airplane described in paragraph (1) may not, with respect to the scope, format, or magnitude of pilot training for such airplane—

(A) make any assurance or other contractual commitment, whether verbal or in writing, to a potential purchaser of such airplane unless a clear and conspicuous disclaimer (as defined by the Administrator) is included regarding the status of training required for operation of such airplane; or

(B) provide financial incentives (including rebates) to a potential purchaser of such airplane regarding the scope, format, or magnitude of pilot training for such airplane.

(b) **PILOT RESPONSE TIME.**—Beginning on the day after the date on which regulations are issued under section 119(c)(6) of the Aircraft Certification, Safety, and Accountability Act, the Administrator may not issue a new or amended type certificate for an airplane described in subsection (a) unless the applicant for such certificate has demonstrated to the Administrator that the applicant has accounted for realistic assumptions regarding the time for pilot re-

sponses to non-normal conditions in designing the systems and instrumentation of such airplane. Such assumptions shall—

- (1) be based on test data, analysis, or other technical validation methods; and
- (2) account for generally accepted scientific consensus among experts in human factors regarding realistic pilot response time.

(c) DEFINITION.—In this section, the term “transport airplane” means a transport category airplane designed for operation by an air carrier or foreign air carrier type-certificated with a passenger seating capacity of 30 or more or an all-cargo or combi derivative of such an airplane.

(Added Pub. L. 116-260, div. V, title I, §119(a), Dec. 27, 2020, 134 Stat. 2338.)

REFERENCES IN TEXT

Section 119(c) of the Aircraft Certification, Safety, and Accountability Act, referred to in subsec. (b), is section 119(c) of title I of Pub. L. 116-260, div. V, Dec. 27, 2020, 134 Stat. 2339, which is set out as a note under section 44704 of this title.

CHAPTER 448—UNMANNED AIRCRAFT SYSTEMS

Sec.	
44801.	Definitions.
44802.	Integration of civil unmanned aircraft systems into national airspace system.
44803.	Unmanned aircraft system test ranges. ¹
44804.	Small unmanned aircraft in the Arctic.
44805.	Small unmanned aircraft safety standards. ¹
44806.	Public unmanned aircraft systems.
44807.	Special authority for certain unmanned aircraft systems.
44808.	Carriage of property by small unmanned aircraft systems for compensation or hire.
44809.	Exception for limited recreational operations of unmanned aircraft.
44810.	Airport safety and airspace hazard mitigation and enforcement.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-254, div. B, title III, §§343(b), 344(b), 345(c), 346(b)(1), 347(b)(1), 348(b), 349(b)(1), 383(b)(1), Oct. 5, 2018, 132 Stat. 3290, 3291, 3293, 3295-3297, 3300, 3322, added items 44803 to 44810.

§ 44801. Definitions

In this chapter, the following definitions apply:

- (1) ACTIVELY TETHERED UNMANNED AIRCRAFT SYSTEM.—The term “actively tethered unmanned aircraft system” means an unmanned aircraft system in which the unmanned aircraft component—
 - (A) weighs 4.4 pounds or less, including payload but not including the tether;
 - (B) is physically attached to a ground station with a taut, appropriately load-rated tether that provides continuous power to the unmanned aircraft and is unlikely to be separated from the unmanned aircraft; and
 - (C) is controlled and retrieved by such ground station through physical manipulation of the tether.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(3) ARCTIC.—The term “Arctic” means the United States zone of the Chukchi Sea, Beaufort Sea, and Bering Sea north of the Aleutian chain.

(4) CERTIFICATE OF WAIVER; CERTIFICATE OF AUTHORIZATION.—The terms “certificate of waiver” and “certificate of authorization” mean a Federal Aviation Administration grant of approval for a specific flight operation.

(5) COUNTER-UAS SYSTEM.—The term “counter-UAS system” means a system or device capable of lawfully and safely disabling, disrupting, or seizing control of an unmanned aircraft or unmanned aircraft system.

(6) PERMANENT AREAS.—The term “permanent areas” means areas on land or water that provide for launch, recovery, and operation of small unmanned aircraft.

(7) PUBLIC UNMANNED AIRCRAFT SYSTEM.—The term “public unmanned aircraft system” means an unmanned aircraft system that meets the qualifications and conditions required for operation of a public aircraft.

(8) SENSE AND AVOID CAPABILITY.—The term “sense and avoid capability” means the capability of an unmanned aircraft to remain a safe distance from and to avoid collisions with other airborne aircraft, structures on the ground, and other objects.

(9) SMALL UNMANNED AIRCRAFT.—The term “small unmanned aircraft” means an unmanned aircraft weighing less than 55 pounds, including the weight of anything attached to or carried by the aircraft.

(10) TEST RANGE.—The term “test range” means a defined geographic area where research and development are conducted as authorized by the Administrator of the Federal Aviation Administration, and includes any of the 6 test ranges established by the Administrator under section 332(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), as in effect on the day before the date of enactment of the FAA Reauthorization Act of 2018, and any public entity authorized by the Federal Aviation Administration as an unmanned aircraft system flight test center before January 1, 2009.

(11) UNMANNED AIRCRAFT.—The term “unmanned aircraft” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

(12) UNMANNED AIRCRAFT SYSTEM.—The term “unmanned aircraft system” means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the operator to operate safely and efficiently in the national airspace system.

(13) UTM.—The term “UTM” means an unmanned aircraft system traffic management system or service.”

(Added Pub. L. 115-254, div. B, title III, §341(a), Oct. 5, 2018, 132 Stat. 3284.)

¹ So in original. Does not conform to section catchline.