

117TH CONGRESS  
1ST SESSION

# S. 36

To require certain helicopters to be equipped with safety technologies, and  
for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2021

Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. BLUMENTHAL, and Mr.  
MARKEY) introduced the following bill; which was read twice and referred  
to the Committee on Commerce, Science, and Transportation

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## A BILL

To require certain helicopters to be equipped with safety  
technologies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Kobe Bryant & Gianna  
5 Bryant Helicopter Safety Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The January 26, 2020, helicopter crash  
9 near Calabasas, California, in which 9 individuals  
10 lost their lives, was a tragic event.

1           (2) Officials from the National Transportation  
 2       Safety Board (NTSB) have noted that the helicopter  
 3       involved in the fatal January crash was not equipped  
 4       with a Flight Data Recorder (FDR), a Cockpit  
 5       Voice Recorder (CVR), or a Terrain Awareness and  
 6       Warning System (TAWS).

7           (3) The NTSB has investigated numerous trag-  
 8       ic helicopter accidents, including the crash of a heli-  
 9       copter in the Gulf of Mexico in 2004, in which 10  
 10      individuals lost their lives, and a crash in Missouri  
 11      in 2011, in which 4 individuals lost their lives.

12          (4) The NTSB has provided recommendations  
 13      to the FAA regarding equipping helicopters with  
 14      crash-resistant Flight Data Recorders, Cockpit Voice  
 15      Recorders, and Terrain Awareness and Warning  
 16      Systems.

17          (5) The FAA has not acted on several NTSB  
 18      recommendations for increased helicopter safety  
 19      technologies that could potentially avert future trag-  
 20      edies.

21   **SEC. 3. IMPLEMENTATION OF NTSB RECOMMENDATIONS.**

22      (a) IN GENERAL.—Subject to subsections (b) and (c),  
 23      not later than 90 days after the date of enactment of this  
 24      Act, the Administrator shall issue such regulations as are  
 25      necessary to implement the following NTSB recommenda-

1 tions for crash-resistant systems, but only with respect to  
2 existing and new U.S.-registered turbine-powered rotor-  
3 craft certificated for 6 or more passenger seats:

4           (1) Safety Recommendation A-06-017, issued  
5           on March 7, 2006 (relating to requiring all rotor-  
6           craft operating under parts 91 and 135 of title 14,  
7           Code of Federal Regulations, with a transport-cat-  
8           egory certification to be equipped with a cockpit  
9           voice recorder (CVR) and a flight data recorder  
10          (FDR) or an onboard cockpit image recorder with  
11          the capability of recording cockpit audio, crew com-  
12          munications, and aircraft parametric data).

13          (2) Safety Recommendation A-06-018, issued  
14          on March 7, 2006 (relating to not permitting exemp-  
15          tions or exceptions to the flight recorder regulations  
16          that allow transport-category rotorcraft to operate  
17          without flight recorders, and withdrawing exemp-  
18          tions and exceptions that allow transport-category  
19          rotorcraft to operate without flight recorders).

20          (3) Safety Recommendation A-06-019 issued  
21          on March 24, 2006 (relating to requiring all existing  
22          and new U.S.-registered turbine-powered rotorcraft  
23          certificated for 6 or more passenger seats to be  
24          equipped with a terrain awareness and warning sys-  
25          tem).

1 (b) TIMING FOR EQUIPMENT COMPLIANCE.—The  
2 regulations required to be issued under subsection (a)  
3 shall require all U.S.-registered turbine-powered rotorcraft  
4 certificated for 6 or more passenger seats to be equipped  
5 with a Flight Data Recorder, a Cockpit Voice Recorder,  
6 and a Terrain Awareness and Warning System that each  
7 meet the respective requirements applicable under such  
8 regulations, not later than—

9 (1) 1 year after the date on which the applica-  
10 ble regulation is issued; or

11 (2) 2 years after the date on which the applica-  
12 ble regulation is issued, if the Administrator deter-  
13 mines appropriate.

14 (c) EXEMPTIONS.—

15 (1) IN GENERAL.—In issuing the regulations  
16 required under subsection (a), the Administrator  
17 may exempt any civilian helicopter that the Adminis-  
18 trator determines appropriate from 1 or more of the  
19 equipment requirements of such regulations.

20 (2) REQUIREMENTS.—If the Administrator  
21 issues a final regulation that contains an exemption  
22 described in paragraph (1), the Administrator shall  
23 submit to the Committee on Transportation and In-  
24 frastructure of the House of Representatives the  
25 Committee on Appropriations of the House of Rep-

1        representatives, the Committee on Commerce, Science,  
2        and Transportation of the Senate, and the Com-  
3        mittee on Appropriations of the Senate a report de-  
4        scribing the exemption, not later than the date on  
5        which the final regulation is issued.

6    **SEC. 4. DEFINITIONS.**

7        In this Act:

8            (1) ADMINISTRATOR.—The term “Adminis-  
9        trator” means the Administrator of the FAA.

10          (2) FAA.—The term “FAA” means the Fed-  
11        eral Aviation Administration.

12          (3) NTSB.—The term “NTSB” means the Na-  
13        tional Transportation Safety Board.

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