

(2) the potential impact to the aerospace industry of the introduction of a new radio service that operates in the same spectrum allocated to the aeronautical mobile telemetry service.

SEC. 821. CLARIFICATION OF REQUIREMENTS FOR VOLUNTEER PILOTS OPERATING CHARITABLE MEDICAL FLIGHTS.

(a) **REIMBURSEMENT OF FUEL COSTS.**—Notwithstanding any other law or regulation, in administering section 61.113(c) of title 14, Code of Federal Regulations (or any successor regulation), the Administrator of the Federal Aviation Administration shall allow an aircraft owner or operator to accept reimbursement from a volunteer pilot organization for the fuel costs associated with a flight operation to provide transportation for an individual or organ for medical purposes (and for other associated individuals), if the aircraft owner or operator has—

- (1) volunteered to provide such transportation; and
- (2) notified any individual that will be on the flight, at the time of inquiry about the flight, that the flight operation is for charitable purposes and is not subject to the same requirements as a commercial flight.

(b) **CONDITIONS TO ENSURE SAFETY.**—The Administrator may impose minimum standards with respect to training and flight hours for single-engine, multi-engine, and turbine-engine operations conducted by an aircraft owner or operator that is being reimbursed for fuel costs by a volunteer pilot organization, including mandating that the pilot in command of such aircraft hold an instrument rating and be current and qualified for the aircraft being flown to ensure the safety of flight operations described in subsection (a).

(c) **VOLUNTEER PILOT ORGANIZATION.**—In this section, the term “volunteer pilot organization” means an organization that—

- (1) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code; and
- (2) is organized for the primary purpose of providing, arranging, or otherwise fostering charitable medical transportation.

SEC. 822. PILOT PROGRAM FOR REDEVELOPMENT OF AIRPORT PROPERTIES.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a pilot program under which operators of up to 4 public-use airports may receive grants for activities related to the redevelopment of airport properties in accordance with the requirements of this section.

(b) **GRANTS.**—Under the pilot program, the Administrator may make a grant in a fiscal year, from funds made available for grants under section 47117(e)(1)(A) of title 49, United States Code, to an airport operator for a project—

- (1) to support joint planning, engineering, design, and environmental permitting of projects, including the assembly and redevelopment of property purchased with noise mitigation funds made available under section 48103 of such title or passenger facility revenue collected under section 40117 of such title; and

(a) Effective Date

This AD is effective February 22, 2013 to all persons except those persons to whom it was made immediately effective by Emergency AD 2013-02-51, issued on January 16, 2013, which contained the requirements of this amendment.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all The Boeing Company Model 787-8 airplanes, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 24, Electrical power.

(e) Unsafe Condition

This AD was prompted by recent incidents involving lithium ion battery failures that resulted in release of flammable electrolytes, heat damage, and smoke on two Model 787-8 airplanes. The cause of these failures is currently under investigation. We are issuing this AD to prevent damage to critical systems and structures, and the potential for fire in the electrical compartment.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Modification or Other Action

Before further flight, modify the battery system, or take other actions, in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA.

(h) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle ACO, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/ certificate holding district office.

(i) Related Information

For more information about this AD, contact: Robert Duffer, Manager, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: 425-917-6493; fax: 425-917-6590; email: Robert.Duffer@faa.gov.

(j) Material Incorporated by Reference

None.

Issued in Renton, Washington, on February 1, 2013.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 61

Policy Clarification on Charitable Medical Flights

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Policy.

SUMMARY: The FAA is issuing this notice of policy to describe its policy for volunteer pilots operating charitable medical flights. Charitable medical flights are flights where a pilot, aircraft owner, and/or operator provides transportation for an individual or organ for medical purposes. This notice of policy is in response to Section 821 of Public Law 112-95, Clarification of Requirements for Volunteer Pilots Operating Charitable Medical Flights.

DATES: This action becomes effective on February 22, 2013.

FOR FURTHER INFORMATION CONTACT: John Linsensmeyer, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; fax (202) 385-9612; email john.linsensmeyer@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

Section 61.113(a) of Title 14 Code of Federal Regulations (14 CFR) states that no person who holds a private pilot certificate may act as pilot in command of an aircraft that is carrying passengers or property for compensation or hire; nor may that person, for compensation or hire, act as pilot in command of an aircraft.

Section 61.113(c) states that, for any flight carrying passengers, a private pilot may not pay less than the pro rata share of the operating expenses (fuel oil, airport expenditures, or rental fees). This prohibition means that a private pilot can pay more, but not less, of these expenses when split equally among all the people aboard the aircraft. Private pilot certificates are considered to be an entry-level pilot's license, and the purpose of this regulation is to limit the operations of private pilots commensurate to their certification level. Pilots wishing to pay less than

their pro rata share (or fly for hire) must obtain a commercial pilot certificate, which has higher certification requirements and may be required to comply with additional operating requirements.

Some pilots and other individuals have recognized a need to provide transportation services for conveyance of people needing non-emergency medical treatment. Section 821 of Pub. Law 112-95, requires, with certain limitations, that the FAA allow an aircraft owner or operator to accept reimbursement from a volunteer pilot organization for the fuel costs associated with a flight operation to provide transportation for an individual or organ for medical purposes (and for other associated individuals).

Volunteer pilot organizations have petitioned the FAA for exemption from the requirements of § 61.113(c) so that their pilots can be reimbursed for some or all of the expenses they incur while flying these flights. To allow compensation for expenses for the transportation of individuals, these private pilots are participating in an activity that would otherwise be prohibited by § 61.113(c).

The FAA has determined this activity can be conducted safely with limits applied to the organizations, pilots, an aircraft. Beginning in 2010, the FAA issued several exemptions to charitable medical flight organizations granting relief from the requirements of § 61.113(c). The exemptions contain conditions and limitations that are intended to raise the level of safety for these flights. These conditions and limitations include:

1. Developing of a pilot qualification and training program;
2. Authenticating pilots' FAA certification;
3. Requiring flight release documentation;
4. Imposing minimum pilot qualifications (flight hours, recency of experience, etc.);
5. Requiring a 2nd class FAA medic certificate;
6. Requiring the filing of an instrument flight plan for each flight;
7. Restricting pilots to flight and duty time limitations;
8. Requiring mandatory briefings for passengers;
9. Imposing higher aircraft airworthiness requirements; and
10. Requiring higher instrument flight rules (IFR) minimums.

The FAA recognizes the practical implications and benefits from this type of charity flying and will continue to issue exemptions for flights described