115TH CONGRESS 1ST SESSION

S.

To provide liability protection for volunteer pilots who fly for the public benefit, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. INHOFE (for himself and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To provide liability protection for volunteer pilots who fly for the public benefit, 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 “Volunteer Pilot Protec-
5 tion Act of 2017”.

6 SEC. 2. FINDINGS AND PURPOSES.

7 (a) FINDINGS.—Congress finds the following:

8 (1) Many volunteer pilots fly for the public ben-
9 efit for nonprofit organizations and provide valuable
10 services to communities and individuals in need.
(2) In each calendar year volunteer pilots and
the nonprofit organizations those pilots fly for pro-
vide long-distance, no-cost transportation for tens of
thousands of people during times of special need.
Flights provide patient and medical transport, dis-
aster relief, and humanitarian assistance, and con-
duct other charitable missions that benefit the pub-
lic.

(3) Such nonprofit organizations have sup-
ported the homeland security of the United States
by providing volunteer pilot services during and fol-
lowing disasters and during other times of national
emergency.

(4) Most other kinds of volunteers are protected
from liability by the Volunteer Protection Act of
1997 (42 U.S.C. 14501 et seq.), but volunteer pilots
are not.

(b) PURPOSES.—The purposes of this Act are to
amend the Volunteer Protection Act of 1997—

(1) to extend the protection of that Act to vol-
unteer pilots;

(2) to promote the activities of volunteer pilots
and the nonprofit organizations those pilots fly for
in providing flights for the public benefit; and
(3) to sustain and enhance the availability of
the services that such pilots and nonprofit organiza-
tions provide, including—

(A) transportation at no cost to financially
needy medical patients for medical treatment,
evaluation, and diagnosis;

(B) flights for humanitarian and charitable
purposes; and

(C) other flights of compassion.

SEC. 3. LIABILITY PROTECTION FOR VOLUNTEER PILOTS
WHO FLY FOR THE PUBLIC BENEFIT.

Section 4 of the Volunteer Protection Act of 1997
(42 U.S.C. 14503) is amended—

(1) by redesignating subsections (b) through (f)
as subsections (c) through (g), respectively;

(2) in subsection (a), by striking “subsections
(b) and (d)” and inserting “subsections (b), (e), and
(e)”;

(3) by inserting after subsection (a) the fol-
lowing:

“(b) LIABILITY PROTECTION FOR PILOTS THAT FLY
FOR PUBLIC BENEFIT.—Except as provided in sub-
sections (c) and (e), no volunteer of a volunteer pilot non-
profit organization that arranges flights for public benefit
shall be liable for harm caused by an act or omission of
the volunteer on behalf of the organization if, at the time
of the act or omission, the volunteer—

"(1) was operating an aircraft in furtherance of
the purpose of, and acting within the scope of the
volunteer’s responsibilities on behalf of, the non-
profit organization;

"(2) was properly licensed and insured for the
operation of the aircraft;

"(3) was in compliance with all requirements of
the Federal Aviation Administration for recent flight
experience; and

"(4) did not cause the harm through willful or
criminal misconduct, gross negligence, reckless mis-
conduct, or a conscious, flagrant indifference to the
rights or safety of the individual harmed by the vol-
unteer.”; and

(4) in subsection (g)(2), as redesignated, by
striking “(e)” and inserting “(f)”.