

110TH CONGRESS
1ST SESSION

S. 11

To provide liability protection to volunteer pilot nonprofit organizations that fly for public benefit and to the pilots and staff of such nonprofit organizations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2007

Mr. INHOFE introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide liability protection to volunteer pilot nonprofit organizations that fly for public benefit and to the pilots and staff of such nonprofit organizations, 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 Orga-
5 nization Protection Act of 2007”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

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

1 (1) Many volunteer pilot nonprofit organiza-
2 tions fly for public benefit and provide valuable serv-
3 ices to communities and individuals.

4 (2) In calendar year 2006, volunteer pilot non-
5 profit organizations provided long-distance, no-cost
6 transportation for more than 58,000 people during
7 times of special need.

8 (3) Such nonprofit organizations are no longer
9 able to purchase non-owned aircraft liability insur-
10 ance to provide liability protection at a reasonable
11 price, and therefore face a highly detrimental liabil-
12 ity risk.

13 (4) Such nonprofit organizations have sup-
14 ported the homeland security of the United States
15 by providing volunteer pilot services during times of
16 national emergency.

17 (b) PURPOSE.—The purpose of this Act is to promote
18 the activities of volunteer pilot nonprofit organizations
19 that fly for public benefit and to sustain the availability
20 of the services that such nonprofit organizations provide,
21 including the following:

22 (1) Transportation at no cost to financially
23 needy medical patients for medical treatment, eval-
24 uation, and diagnosis.

1 (2) Flights for humanitarian and charitable
2 purposes.

3 (3) Other flights of compassion.

4 **SEC. 3. LIABILITY PROTECTION FOR VOLUNTEER PILOT**
5 **NONPROFIT ORGANIZATIONS THAT FLY FOR**
6 **PUBLIC BENEFIT AND TO PILOTS AND STAFF**
7 **OF SUCH NONPROFIT ORGANIZATIONS.**

8 Section 4 of the Volunteer Protection Act of 1997
9 (42 U.S.C. 14503) is amended—

10 (1) in subsection (a)(4)—

11 (A) by redesignating subparagraphs (A)
12 and (B) as clauses (i) and (ii), respectively;

13 (B) by striking “the harm” and inserting
14 “(A) except in the case of subparagraph (B),
15 the harm”;

16 (C) in subparagraph (A)(ii), as redesign-
17 ated by this paragraph, by striking the period
18 at the end and inserting “; and”; and

19 (D) by adding at the end the following:

20 “(B) the volunteer—

21 “(i) was operating an aircraft in further-
22 ance of the purpose of a volunteer pilot non-
23 profit organization that flies for public benefit;
24 and

1 “(ii) was properly licensed and insured for
2 the operation of such aircraft.”; and

3 (2) in subsection (c)—

4 (A) by striking “Nothing in this section”
5 and inserting the following:

6 “(1) IN GENERAL.—Except as provided in para-
7 graph (2), nothing in this section”; and

8 (B) by adding at the end the following:

9 “(2) EXCEPTION.—A volunteer pilot nonprofit
10 organization that flies for public benefit, the staff,
11 mission coordinators, officers, and directors (whether
12 volunteer or otherwise) of such nonprofit organiza-
13 tion, and a referring agency of such nonprofit orga-
14 nization shall not be liable for harm caused to any
15 person by a volunteer of such nonprofit organization
16 while such volunteer—

17 “(A) is operating an aircraft in further-
18 ance of the purpose of such nonprofit organiza-
19 tion;

20 “(B) is properly licensed for the operation
21 of such aircraft; and

22 “(C) has certified to such nonprofit organi-
23 zation that such volunteer has insurance cov-

1 ering the volunteer's operation of such air-
2 craft.".

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