

112TH CONGRESS
1ST SESSION

H. R. 842

To allow mandatory nighttime curfews at certain airports, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2011

Mr. SCHIFF (for himself, Mr. BERMAN, and Mr. SHERMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To allow mandatory nighttime curfews at certain airports,
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 “Valley-Wide Noise Re-
5 lief Act of 2011”.

6 **SEC. 2. MANDATORY NIGHTTIME CURFEWS.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, including any written assurances under section
9 47107 of title 49, United States Code, an airport sponsor

1 may not be prohibited from, or interfered with, imple-
2 menting any of the following:

3 (1) A total mandatory nighttime curfew for an
4 airport of the sponsor that is described in paragraph
5 (1) of subsection (b).

6 (2) A partial mandatory nighttime curfew for
7 an airport of the sponsor that is described in para-
8 graph (2) of subsection (b).

9 (b) COVERED AIRPORTS.—

10 (1) PARAGRAPH (1) AIRPORTS.—An airport de-
11 scribed in this paragraph is an airport that—

12 (A) had a voluntary curfew in effect for
13 certain aircraft on November 5, 1990; and

14 (B) was created by an intergovernmental
15 agreement established pursuant to a State stat-
16 ute enacted before November 5, 1990, that,
17 along with the statute, imposes obligations with
18 respect to noise mitigation.

19 (2) PARAGRAPH (2) AIRPORTS.—An airport de-
20 scribed in this paragraph is an airport that—

21 (A) had a partial curfew in effect prior to
22 November 5, 1990;

23 (B) operates under the supervision of a
24 board of airport commissioners that, on Janu-
25 ary 1, 2010, oversaw operation of 3 or more

1 airports, at least 2 of which have airport oper-
2 ating certificates pursuant to part 139 of title
3 14, Code of Federal Regulations; and

4 (C) on January 1, 2010, failed to comply
5 with a cumulative noise standard established by
6 a State law for airports in that State.

7 (c) NOTICE REQUIREMENTS.—

8 (1) IN GENERAL.—At least 90 days before im-
9 plementing a curfew under subsection (a), an airport
10 sponsor shall provide to airport users and other in-
11 terested parties reasonable notice of—

12 (A) the terms of the curfew; and

13 (B) the penalties for violating the curfew.

14 (2) REASONABLE NOTICE.—An airport sponsor
15 shall be treated as satisfying the requirement of pro-
16 viding reasonable notice under paragraph (1) if the
17 sponsor—

18 (A) includes the terms of the curfew and
19 penalties for violating the curfew on the Inter-
20 net Web site of the sponsor for the applicable
21 airport; and

22 (B) provides the terms of the curfew and
23 penalties for violating the curfew to tenants of
24 the sponsor who operate aircraft at the airport,
25 either at their leasehold or the address provided

1 to the airport sponsor for the receipt of notices
2 under their lease.

3 (d) DEFINITIONS.—In this section, the following defi-
4 nitions apply:

5 (1) TOTAL MANDATORY NIGHTTIME CURFEW.—

6 The term “total mandatory nighttime curfew”
7 means a prohibition on all aircraft operations at an
8 airport each night during the 9-hour period begin-
9 ning at 10 p.m.

10 (2) PARTIAL MANDATORY NIGHTTIME CUR-

11 FEW.—The term “partial mandatory nighttime cur-
12 few” means a prohibition on certain aircraft oper-
13 ations at an airport each night for not longer than
14 the 9-hour period beginning at 10 p.m.

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