

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
SCHIFF, ADAM OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 658  
OFFERED BY MR. SCHIFF OF CALIFORNIA**

Page 256, after line 9, insert the following (and conform the table of contents accordingly):

1 **SEC. 814. MANDATORY NIGHTTIME CURFEWS.**

2 (a) IN GENERAL.—Notwithstanding any other provi-  
3 sion of law, including any written assurances under section  
4 47107 of title 49, United States Code, an airport sponsor  
5 may not be prohibited from, or interfered with, imple-  
6 menting any of the following:

7 (1) A total mandatory nighttime curfew for an  
8 airport of the sponsor that is described in paragraph  
9 (1) of subsection (b).

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

13 (b) COVERED AIRPORTS.—

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

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

1 (B) was created by an intergovernmental  
2 agreement established pursuant to a State statute  
3 enacted before November 5, 1990, that,  
4 along with the statute, imposes obligations with  
5 respect to noise mitigation.

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

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

10 (B) operates under the supervision of a  
11 board of airport commissioners that, on Janu-  
12 ary 1, 2010, oversaw operation of 3 or more  
13 airports, at least 2 of which have airport oper-  
14 ating certificates pursuant to part 139 of title  
15 14, Code of Federal Regulations; and

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

19 (c) NOTICE REQUIREMENTS.—

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

24 (A) the terms of the curfew; and

25 (B) the penalties for violating the curfew.

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

5           (A) includes the terms of the curfew and  
6 penalties for violating the curfew on the Inter-  
7 net Web site of the sponsor for the applicable  
8 airport; and

9           (B) provides the terms of the curfew and  
10 penalties for violating the curfew to tenants of  
11 the sponsor who operate aircraft at the airport,  
12 either at their leasehold or the address provided  
13 to the airport sponsor for the receipt of notices  
14 under their lease.

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

17       (1) TOTAL MANDATORY NIGHTTIME CURFEW.—  
18 The term “total mandatory nighttime curfew”  
19 means a prohibition on all aircraft operations at an  
20 airport each night during the 9-hour period begin-  
21 ning at 10 p.m.

22       (2) PARTIAL MANDATORY NIGHTTIME CUR-  
23 FEW.—The term “partial mandatory nighttime cur-  
24 few” means a prohibition on certain aircraft oper-

- 1       ations at an airport each night for not longer than
- 2       the 9-hour period beginning at 10 p.m.

