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“Healthy Flights Act of 2021”

**Section-by-Section Description**

**Sec. 1. Short title.**

“Healthy Flights Act of 2021”

**Sec. 2. Aviation system enhancements during public health emergencies.**

Codifies new authorities for the Federal Aviation Administration (FAA) and protections for aviation workers and travelers during a national emergency with respect to infectious diseases. Specifically, the bill creates the following authorities and requirements.

***Authority of FAA Administrator.*** With respect to the occurrence of a pandemic or epidemic, authorizes the FAA Administrator to impose, by emergency order or otherwise, any requirements necessary related to passenger or cargo air travel to protect the health and safety of airline workers and passengers and to reduce the spread of an infectious disease through the U.S. aviation system.

***Mask Requirement in Airports and on Airplanes.*** Requires airline passengers to wear a mask or protective face covering while on board an airplane during national emergencies pertaining to a respiratory disease. Requires any individual within the indoor public space of a U.S. airport to wear a mask or protective face covering during such period as well.

***Protective Masks and Equipment for Airline Workers.*** Mandates that airlines during national emergencies pertaining to a respiratory disease: (1) require flight attendants to wear a mask or face covering and permit the wearing of additional protective equipment; (2) require pilots to wear a mask or protective face covering while outside the flight deck and permit the wearing

of additional protective equipment; (3) require airline employees and contractors to wear a mask or protective face covering while in airports; (4) submit to FAA a proposal and safety risk assessment to allow pilots to wear masks or protective face coverings while in the flight deck; (5) provide pilots, flight attendants, and customer-facing employees with masks or protective face coverings, gloves, hand sanitizer, and cleaning products; (6) ensure aircraft and enclosed facilities are cleaned, disinfected, and sanitized frequently in accordance with Centers for Disease Control and Prevention (CDC) guidance; (7) ensure cleaning workers are provided masks or protective face coverings and gloves; and (8) establish guidelines for notifying employees who may have come into physical contact with another employee diagnosed with the infectious disease.

***Protective Masks and Equipment for Certain FAA Employees.*** Mandates that the FAA during national emergencies pertaining to a respiratory disease: (1) provide air traffic controllers, aviation safety inspectors, and airway transportation systems specialists with masks or protective face coverings, gloves, hand sanitizer, and cleaning products; (2) ensure air traffic control facilities are cleaned, disinfected, and sanitized frequently in accordance with CDC guidance; and (3) ensure cleaning workers are provided masks or protective face coverings and gloves.

***National Aviation System Preparedness Plan.*** Requires the Secretary of Transportation, in coordination with the heads of other Federal departments and agencies and in consultation with aviation industry and labor stakeholders, to develop and regularly update a national plan for the U.S. aviation system—including both government and industry stakeholders—to respond to future epidemics or pandemics of infectious diseases.

### **Sec. 3. Regulations for air carriers to reduce spread of infectious diseases.**

Requires the Secretary of Transportation, in coordination with the CDC, to issue regulations requiring passenger airlines to implement appropriate measures on flights to reduce the spread of an infectious disease like COVID-19 among airline employees or passengers during a national public health emergency.

#### **Sec. 4. Study on transmission of infectious diseases in airplane cabins.**

Requires the FAA to enter into an agreement with the National Academies of Science, Engineering, and Medicine to conduct a study on the transmission of infectious diseases in passenger airplane cabins. The study will consider the extent to which a passenger may be exposed to a pathogen communicated by another passenger on board an airplane, including through air flow patterns and humidity levels, air conditioning and recirculation fan systems, and other variables such as seating location, load factor, type of face covering worn, and passenger movement throughout the cabin.

#### **Sec. 5. Air carrier practices and airplane design improvements.**

Requires the FAA, based on the results of the study required under section 4, to identify and evaluate prospective new airline practices or procedures and aircraft design or configuration features in passenger airplanes, such as cabin surfaces and air conditioning systems, that would reduce the extent of transmission of pathogens within the airplane cabin. Requires the FAA to issue regulations requiring airlines to implement such new practices or procedures and manufacturers to include such new design or configuration features in passenger airplanes, if the Administrator determines these measures would reduce the transmission of pathogens by a reasonable degree.

#### **Sec. 6. Center of Excellence for Infectious Disease Response and Prevention in Aviation.**

Requires the FAA to establish the “Center of Excellence for Infectious Disease Response and Prevention in Aviation”—a consortium of higher education institutions—to study and provide educational, technical, and analytical assistance to the FAA on the transmissibility of infectious diseases and to report to the FAA on improvements that can be made during air travel to reduce the spread of infectious diseases.

#### **Sec. 7. Cabin instruction for public health emergency announcements.**

Requires the FAA to initiate a rulemaking to amend the requirements for airline passenger briefings held during a national emergency pertaining to a

respiratory disease to include: (1) an announcement of any new passenger requirements, such as a mask or protective face covering requirement; (2) a demonstration of proper compliance with such new requirements; and (3) an announcement of any potential fines for non-compliance, such as fines for disobeying a crew member's instruction.

**Sec. 8 Definitions.**

Defines certain terms used throughout the Act.