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A BILL
22-579

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Helicopter Landing Pad Public Nuisance Act of 1987 to allow a hospital that is certified as a Level One Trauma Center to construct a helicopter landing pad, to require the Mayor to conduct an analysis of the helicopter landing pad and to take further action if necessary if there are more than 175 roundtrip flights in a calendar year, and to require the Mayor to determine whether to curtail helicopter flights between the hours of 11:00 p.m. and 6:00 a.m., and to grant the Mayor rulemaking authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Helicopter Landing Pad Amendment Act of 2018”.

Sec. 2. The Helicopter Landing Pad Public Nuisance Act of 1987, effective October 9, 1987 (D.C. Law 7-40; D.C. Official Code § 9-1211.01) is amended as follows:

(a) Section 2 is amended as follows:

(1) Subsection (a) is amended by striking the phrase “pad, which was not in operation prior to July 14, 1987, in any” and inserting the phrase “pad in any” in its place.

(2) A new subsection (c) is added to read as follows:

“(c) This section shall not apply to:

“(1) A helicopter landing pad that was in operation prior to July 14, 1987;

“(2) A helicopter landing pad constructed to replace a helicopter landing pad that was in operation prior to July 14, 1987; and

29 “(3) A singular helipad at a hospital in the District of Columbia that, as of the date
30 construction is complete, is certified as a Level One Trauma Center by the District of Columbia
31 Department of Health pursuant to section 20 of the Emergency Medical Services Act of 2008,
32 effective March 25, 2009 (D.C. Law 17-357; D.C. Official Code § 7-2341.19); provided, that, for
33 purposes of this act, such certification need not remain current following construction of the
34 helipad.”.

35 (b) A new section 3 is added to read as follows:

36 “Sec. 3. Analysis and review requirements.

37 “(a)(1) If a helipad constructed after the effective date of the Helicopter Landing Pad
38 Amendment Act of 2018, as introduced on November 7, 2017 (Bill 22-579) is used for more than
39 175 round trip flights during a calendar year, the Mayor shall, no later than 60 days following the
40 end of that period:

41 “(A) Conduct an analysis to ascertain the specific uses of the helipad and
42 the reasons for the use of the helipad for more than 175 roundtrip flights; and

43 “(B) Determine whether to pursue the adoption of rules, consistent with
44 the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat.
45 1206; D.C. Official Code § 2-501 *et seq.*), to restrict the use of the helipad or take other action as
46 the Mayor shall deem appropriate.

47 “(2) While conducting an analysis pursuant to this subsection, the Mayor shall
48 utilize a plan to receive public comments and input from the affected community and Advisory
49 Neighborhood Commissions.

50 “(3) The information generated and received pursuant to this subsection shall be
51 reported to the Council and to affected Advisory Neighborhood Commissions.”.

52 “(4) A determination made pursuant to paragraph (1)(B) of this subsection shall
53 be made in writing and shall be published in the District of Columbia Register.

54 “(b)(1) The Mayor shall determine in consultation with affected Advisory Neighborhood
55 Commissions, whether to pursue the adoption of rules, consistent with the District of Columbia
56 Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code §
57 2-501 *et seq.*), to curtail helicopter flights between the hours of 11:00 p.m. and 6:00 a.m. from
58 helipads that are:

59 “(A) Located at hospitals that are certified as Level One Trauma Centers;
60 and

61 “(B) Built after the effective date of the Helicopter Landing Pad
62 Amendment Act of 2018, as introduced on November 7, 2017 (Bill 22-579).

63 “(2) The determination made pursuant to paragraph (1) of this subsection shall be
64 made in writing and shall be published in the District of Columbia Register.”.

65 Sec. 3. Rulemaking.

66 The Mayor may adopt rules, consistent with the District of Columbia Administrative
67 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-501 *et seq.*) to
68 implement this act.

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71 Sec. 4. Fiscal impact statement.

72 The Council adopts the fiscal impact statement in the committee report as the fiscal
73 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
74 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

75 Sec. 5. Effective date.

76 This act shall take effect following approval by the Mayor (or in the event of veto by the
77 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
78 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
79 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
80 Columbia Register.