

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Helicopter Landing Pad Public Nuisance Act of 1987 to permit the operation of a singular helicopter landing pad at a hospital that is certified as a Level One Trauma Center as of the date of the construction of the helicopter landing pad, to require the Mayor to conduct an analysis of newly constructed helicopter landing pads used for more than 175 round-trip flights in a calendar year and to take further action as appropriate, to require the Mayor to determine whether to curtail helicopter flights between the hours of 11:00 p.m. and 6:00 a.m. from newly constructed helicopter landing pads at hospitals that are certified as Level One Trauma Centers, 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 (D.C. Official Code § 9-1211.01) 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 before July 14, 1987;

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

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

(b) New sections 2a and 2b are added to read as follows:

“Sec. 2a. Analysis and review requirements.

“(a)(1) If a helicopter landing pad constructed after the effective date of the Helicopter Landing Pad Amendment Act of 2018, passed on 2nd reading on June 5, 2018 (Enrolled version

of Bill 22-579), is used for more than 175 round-trip flights during a calendar year, the Mayor shall, no later than 60 days following the end of that period:

“(A) Conduct an analysis to ascertain the specific uses of the helicopter landing pad and the reasons for the use of the helicopter landing pad for more than 175 round-trip flights; and

“(B) Determine whether to pursue the adoption of rules pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), to restrict the use of the helicopter landing pad or take other action as the Mayor shall deem appropriate.

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

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

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

“(b)(1) The Mayor shall determine, in consultation with affected Advisory Neighborhood Commissions, whether to pursue the adoption of rules pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), to curtail helicopter flights between the hours of 11:00 p.m. and 6:00 a.m. from helicopter landing pads that are:

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

“(B) Constructed after the effective date of the Helicopter Landing Pad Amendment Act of 2018, passed on 2nd reading on June 5, 2018 (Enrolled version of Bill 22-579).

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

“Sec. 2b. Rules.

“The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.”

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

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provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia