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2 Councilmember Jack Evans

Chairman Phil Mendelson

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6 Councilmember Vincent C. Gray

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11 A BILL

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14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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17 To amend, on an emergency basis, the Helicopter Landing Pad Public Nuisance Act of 1987 to
18 allow a hospital that is certified as a Level One Trauma Center to construct a helicopter
19 landing pad, to require the Mayor to conduct an analysis of the helicopter landing pad and
20 to take further action if necessary if there are more than 175 roundtrip flights in a
21 calendar year, and to require the Mayor to determine whether to curtail helicopter flights
22 between the hours of 11:00 p.m. and 5:59 a.m., and to grant the Mayor rulemaking
23 authority.

24
25 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
26 act may be cited as the “Helicopter Landing Pad Emergency Amendment Act of 2018”.

27 Sec. 2. The Helicopter Landing Pad Public Nuisance Act of 1987, effective October 9,
28 1987 (D.C. Law 7-40; D.C. Official Code § 9-1211.01) is amended as follows:

29 (a) Section 2 is amended as follows:

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

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

33 “(c) This section shall not apply to:

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

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

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

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

44 “Sec. 3. Analysis and review requirements.

45 “(a)(1) If a helipad constructed after the effective date of the Helicopter Landing Pad
46 Amendment Act of 2018, as introduced on November 7, 2017 (Bill 22-579) is used for more than
47 175 round trip flights during a calendar year, the Mayor shall, no later than 60 days following the
48 end of that period:

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

51 “(B) Determine whether to pursue the adoption of rules, consistent with
52 the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat.
53 1206; D.C. Official Code § 2-501 *et seq.*), to restrict the use of the helipad or take other action as
54 the Mayor shall deem appropriate.

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

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

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

62 “(b)(1) The Mayor shall determine in consultation with affected Advisory Neighborhood
63 Commissions, whether to pursue the adoption of rules, consistent with the District of Columbia
64 Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code §
65 2-501 *et seq.*), to curtail helicopter flights between the hours of 11:00 p.m. and 6:00 a.m. from
66 helipads that are:

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

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

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

73 Sec. 3. Rulemaking.

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

77 Sec. 4. Fiscal impact statement.

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

81 Sec. 5. Effective date.

82 This act shall take effect following approval by the Mayor (or in the event of veto by the
83 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
84 90 days, as provided for emergency acts of the Council of the District of Columbia in section
85 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
86 D.C. Official Code § 1-204.12(a)).