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5 October 2022

Hon. Kathleen C. Hochul
Governor of the State of New York
New York State Capital Building
Albany, NY 12224

TRANSMITTED BY ELECTRONIC SUBMISSION

Email: Legislative.Secretary@exec.ny.gov

Re: VETO Senate Bill S.7493-A.

Honorable Governor Hochul,

On behalf of 10,078 aircraft owners and pilots, and 125 public-use airports across the state of New York, **the aviation industry urges you to VETO Senate Bill 7493-A**, an act to permit a ‘Right of action on undesirable helicopter noise’, regardless of the legality and safety of a given flight. We write this letter to express our concerns over the detrimental impact that signing this legislation would have on the aviation industry and the state’s economy.

While the intent of the proposal is to limit lawful helicopter operations at the West 30th Street New York City heliport, as written, it can be interpreted as applying to helicopter operations statewide. Any person that suffers a vague impact from helicopter noise described as “*interference with the use and enjoyment of private property or public parkland,*” could force an offending operator(s) and enabler(s) to be subject to a penalty of up to \$10,000 per occurrence, regardless of the legality and safety of a given flight. Such wording appears to run afoul of settled federal law related to noise and access restrictions at air navigation facilities, which include heliports. Through the threat of legal action, S.7493-A attempts to manufacture an access restriction prohibited by federal law governing the implementation of noise and access restrictions, under the Airport Noise and Capacity Act (ANCA) of 1990 (49 U.S.C. § 47521, et seq.).

Furthermore, this legislation would have a chilling effect on private investment in aviation industries and infrastructure as New York would be labeled as hostile to the aviation community and its outcrop of growing technology sectors. New York is currently home to one of seven FAA-designated unmanned aerial systems (UAS) test sites, with a 50-mile UAS traffic management corridor awarded through a competitive application process overseen by NASA and the FAA. The passage of this legislation would incentivize high-technology aviation businesses to invest in other states eager to support these growing aviation sectors.

For these reasons and to prevent countless frivolous lawsuits, the aviation community of New York urges you to VETO Senate Bill 7493-A

The Aircraft Owners and Pilots Association (AOPA), a not-for-profit membership organization, is the world's largest aviation organization, representing the interests of general aviation aircraft owners and operators nationwide. The New York Aviation Management Association (NYAMA) is a not-for-profit airport and related aviation industries membership organization. Both associations are committed to ensuring the safety, future viability, and development of general aviation across New York State. For additional information, please contact AOPA Eastern Regional Manager Sean Collins at sean.collins@aopa.org or by phone at (301) 695-2090; NYAMA President Greg Topping at info@nyama.aero or by phone at (518) 687-2241.

Sincerely,



Aircraft Owners & Pilots Association
New York Aviation Management Association

