



421 Aviation Way  
Frederick, MD 21701

T. 202-737-7950  
F. 202-273-7951

[www.aopa.org](http://www.aopa.org)

15 April 2024

Committee on Economic Development  
New York City Council  
250 Broadway, Suite 1833  
New York, NY 10007

### **TRANSMITTED VIA ONLINE SUBMISSION**

**Re: Oversight – Helicopter Noise and Safety: Int 0026-204, Int 0070-2024, Res 0085-2024, Res 0226-2024.**

Chairperson Councilor Farias and members of the New York City Council Committee on Economic Development,

The Aircraft Owners & Pilots Association (AOPA) is the world’s largest aviation membership organization representing the general aviation interests of 300,000 aircraft owners and pilots across the country, including nearly 10,000 from the state of New York. On behalf of these members, **AOPA opposes Int 0026-2024 and Int 0070-2024 – laws to amend the administrative code to restrict non-essential helicopter operations from the New York City (NYC) heliports.**

### **ECONOMIC IMPACT**

With its strong economy and infrastructure, NYC is considered by many to be the business center of the world. As such, its heliports are a vital first link in a global network that connects the city to a broader state aviation system and beyond. A 2012 study on *Heliports and their Importance to NYC*, conducted by NYU Rudin Center for Transportation Policy and Management, determined that the three NYC heliports support 150 jobs and generate more than \$16 million in annual economic impact—numbers that have grown substantially in the twelve years following the study. More recently, a 2022 New York State Department of Transportation economic impact study determined that the state’s general aviation industry supports more than 43,200 jobs statewide and generates \$8.6 Billion in annual economic activity.

### **INTRODUCTION OF NEW LAWS**

The introduction of local laws to amend the administrative code of the city of New York, including *Int 0026-2024* and *Int 0070-2024*, which seek to prohibit “*non-essential helicopters from operating at heliports owned or operated by the city*” would, if passed, appear to violate the Airport Noise and Capacity Act of 1990, 49 U.S.C § 47521, (ANCA). Similar attempts to restrict aircraft operations at the East Hampton Airport on Long Island have resulted in lawsuits and a ruling that was upheld by the Supreme Court of the State Of New York, which affirmed

that publicly owned facilities are preempted by the Federal Aviation Administration's (FAA) exclusive oversight authority over the noise generated by aircraft. The courts generally have recognized that the powers assigned to the FAA by the Federal Aviation Act leave no room for state or municipal regulation of airport noise. Similarly, any effort by the state to establish a tax on *noise from non-essential helicopter and seaplane flights*, as called for in Res 0085-2024, would appear to be preempted by the federal Anti-Head Tax Act, 49 U.S.C. § 40116 ("AHTA"), which generally prohibits the taxation of air commerce by the states.

Enacting these types of laws would have a chilling effect on private investment in aviation industries and infrastructure across the city and state. In addition to the financial hardship that banning "non-essential helicopter" access would cause for the three NYC heliports, New York would be labeled hostile to the aviation community and its outcrop of growing technology sectors. New York State is 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 applications process overseen by NASA and the FAA. The passage of these proposals would incentivize high-technology aviation businesses to invest in other cities and states eager to support these growing sectors, including those involved with Advanced Air Mobility (AAM) and Urban Air Mobility (UAM).

## **WORKFORCE DEVELOPMENT**

To continue as the world's center of business, NYC must continue to generate and attract a broadly skilled workforce. As more industries and companies look to unmanned aviation to improve their businesses, professional pilots are in increasing demand. There has never been a better time for young people to enter the aviation industry. The long-term outlook for aerospace-related STEM careers continues to be positive. In its [2022 Pilot and Technician Outlook](#), Boeing estimates that by 2041 North America alone will need 128,000 new pilots, 134,000 new technicians, and 173,000 new cabin crew members. At the same time, industry analysts have named drone pilots (those who operate unmanned aircraft systems) as one of the fastest-growing job markets. To help with this, the AOPA Foundation offers free of charge to all high schools and homeschool co-ops across the United States, a six-course, two-pathway (pilot and drone pilot) [High School Aviation STEM Curriculum](#). Fordham Preparatory School in the Bronx, and Gregorio Luperon High School in Manhattan comprise two of the six schools across New York State utilizing this 100% FREE aviation-themed STEM curriculum.

## **THE FUTURE OF AVIATION**

Advancements in technology related to sustainable power and sound signature reduction are evolving quickly and will soon be certified, including Electric Vertical Takeoff and Landing (eVTOL) aircraft. It will be vitally important for airports and aviation authorities to plan for and adapt their facilities accordingly as these important technologies will serve to reduce the traffic burden on our highways and bridges while sustaining New York's place in the global economy. These advancements will serve to make many concerns of today obsolete as we progress into the near future. Although the industry's progress is inevitable, it will require continued investment by NYC to procure these coming advancements as efficiently as possible. Efforts to restrict access will only inhibit the NYC heliport's ability to generate revenue and invest in the future.

For these reasons and to prevent countless lawsuits, the aviation community of New York urges you to find these proposals unfavorable. If you have questions or require additional information, please contact me directly at 301-695-2090 or [sean.collins@aopa.org](mailto:sean.collins@aopa.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Sean Collins", is centered on a light-colored rectangular background.

Sean M. Collins, AOPA  
Eastern Regional Manager