

SEC. 366. <<NOTE: 49 USC 44701 note.>> 25-HOUR COCKPIT VOICE RECORDER.

(a) <<NOTE: Deadlines.>> In General.--

(1) Cockpit voice recorder for newly manufactured aircraft.--A covered operator may not operate a covered aircraft manufactured later than the date that is 1 year after the date of enactment of this Act unless such aircraft has a cockpit voice recorder installed that retains the last 25 hours of recorded information using a recorder that meets the standards of Technical Standard Order TSO-C123c, or any later revision.

(2) Cockpit voice recorder for covered aircraft.--Not later than 6 years after the date of enactment of this Act, a covered operator may not operate a covered aircraft unless such aircraft has a cockpit voice recorder installed that retains the last 25 hours of recorded information using a recorder that meets the standards of Technical Standard Order TSO-C123c, or any later revision.

(b) Prohibited Use.--The Administrator or any covered operator may not use a cockpit voice recorder recording for a certificate action, civil penalty, or disciplinary proceedings against a flight crewmember.

(c) <<NOTE: Deadline.>> Rulemaking.--Not later than 3 years after the date of enactment of this Act, the Administrator shall--

(1) issue a final rule to update applicable regulations, as necessary, to conform to the requirements of subsection (a)(2); and

(2) issue a rule to update applicable regulations, as necessary, to ensure, to the greatest extent practicable, that any data from a cockpit voice recorder--

(A) is protected from unlawful or unauthorized disclosure to the public;

(B) is used exclusively by a Federal agency or a foreign accident investigative agency for a criminal investigation, aircraft accident, or aircraft incident investigation; and

(C) is not deliberately erased or tampered with following a National Transportation Safety Board reportable event under part 830 of title 49, Code of Federal Regulations, for which civil and criminal penalties may be assessed in accordance with section 1155 of title 49, United States Code, and section 32 of title 18, United States Code.

(d) Savings Clause.--Nothing in this section shall be construed as rescoping, constraining, or otherwise mandating delays to FAA actions in the notice of proposed rulemaking titled ``25-Hour Cockpit Voice Recorder (CVR) Requirements, New Aircraft Production'', issued on December 4, 2023 (88 Fed. Reg. 84090).

(e) Rule of Construction.--Nothing in this section shall be construed to affect--

(1) the confidentiality of recording and transcripts under

section 1114(c) of title 49, United States Code;

(2) the ban on recording for civil penalty or certificate under section 121.359(h) of title 14, Code of Federal Regulations; or

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(3) the prohibition against use of data from flight operational quality assurance programs for enforcement purposes under section 13.401 of title 14, Code of Federal Regulations.

(f) Definitions.--In this section:

(1) Covered aircraft.--The term ``covered aircraft'' means--

(A) an aircraft operated by an air carrier under part 121 of title 14, Code of Federal Regulations; or

(B) a transport category aircraft designed for operations by an air carrier or foreign air carrier type-certificated with a passenger seating capacity of 30 or more or an all-cargo or combi derivative of such an aircraft.

(2) Covered operator.--The term ``covered operator'' means the operator of a covered aircraft.