

SENATE BILL NO. 160

BY SENATORS MICHOT, ALARIO, AMEDEE, APPEL, CHABERT, CHEEK, DORSEY, ERDEY, GAUTREAUX, GUILLORY, HEITMEIER, LAFLEUR, LONG, MARTINY, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, SHAW, SMITH, THOMPSON AND WILLARD-LEWIS AND REPRESENTATIVES ANDERS, ARNOLD, BOBBY BADON, BALDONE, BROSSETT, TIM BURNS, CARMODY, CONNICK, CORTEZ, DOVE, GISCLAIR, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENSGENS, HOFFMANN, HOWARD, LANDRY, LEBAS, LOPINTO, MCVEA, PUGH, ROBIDEAUX, SEABAUGH, GARY SMITH, ST. GERMAIN AND THIBAUT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact Part VIII of Chapter 6 of Title 40 of the Louisiana Revised Statutes
3 of 1950, to be comprised of R.S. 40:1486.1 and 1486.2, relative to monitoring the
4 transportation of offshore oil platform workers; to provide for purpose; to provide
5 for state participation in and promotion of the safe transportation over water of oil
6 and gas workers and others involved in the offshore oil and gas industry; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Part VIII of Chapter 6 of Title 40 of the Louisiana Revised Statutes of
10 1950, to be comprised of R.S. 40:1486.1 and 1486.2 is hereby amended and reenacted to
11 read as follows:

12 PART VIII. ~~REGULATION~~ MONITORING OF TRANSPORTATION
13 OF OFFSHORE OIL PLATFORM WORKERS

14 §1486.1. Purpose

15 The legislature finds that the production of oil for the energy needs of the
16 state and the nation is of vital concern, and the safety of those who work in the
17 offshore industry and those who transport those workers is also of vital concern;
18 therefore, the legislature ~~imposes certain requirements upon the transportation of~~
19 ~~offshore workers~~ directs the director of aviation of the aviation section of the
20 Department of Transportation and Development to participate in education,
21 communication, and promotion of aviation safety in the offshore oil and gas

1 industry. The legislature's goal is to reduce to as low as reasonably practicable
 2 the instances of helicopter accidents in the oil and gas industry by promotion of
 3 the adoption of safe practices in such operations. The legislature recognizes
 4 that Congress has delegated the responsibility for regulation of such operators
 5 to the Federal Aviation Administration ("FAA"), which has promulgated
 6 regulations as published in the Code of Federal Regulations to all Part 133 and
 7 Part 135 operators, and which has further, by its issuance of Operations
 8 Specifications to such operators, required them to conduct such operations with
 9 the highest degree of safety in the public interest.

10 §1486.2. Life preserver, life jacket, or life belt; personal locator beacon; required

11 State participation in and promotion of transportation of oil and
 12 gas workers over water

13 ~~Notwithstanding any other provision of law to the contrary and prior to~~
 14 ~~January 1, 2011, any aircraft utilized to transport offshore platform workers, to and~~
 15 ~~from the platform, shall provide and carry, so placed as to be readily accessible, at~~
 16 ~~least one life preserver, life jacket, or life belt and a personal locator beacon, for each~~
 17 ~~person on board. The device shall be capable of transmitting a digital coded distress~~
 18 ~~signal and a permanent homing signal. **A. The director of aviation ("DA") of the**~~
 19 ~~**aviation section of the Department of Transportation and Development**~~
 20 ~~**("DOTD") shall request membership to the Helicopter Safety Advisory**~~
 21 ~~**Conference ("HSAC"), attend regularly scheduled meetings of HSAC for the**~~
 22 ~~**purpose of education, understanding, and dissemination of information**~~
 23 ~~**developed for the purpose of the promotion of safety through cooperation, and**~~
 24 ~~**encourage all operators who provide over water flight services to the oil and gas**~~
 25 ~~**industry to adopt and incorporate the recommended practices of HSAC into**~~
 26 ~~**their daily operations.**~~

27 **B. The DA or his designated representative may attend and secure all**
 28 **writings in the form of recommended practices that result from HSAC**
 29 **conferences that relate to safe over water helicopter operations, and disseminate**
 30 **such writings in such a way that over water flight service providers in the state**

1 or adjacent to its shores are made aware of its content.

2 C. Among considerations for helicopter safety in over water flight
3 services in the oil and gas industry, the DA or his designated representative may
4 identify, evaluate, and maintain current knowledge of available feasible
5 technology for all of the following:

6 (1) Personal locator beacons ("PLBs") capable of transmitting a digital
7 coded distress signal and a permanent homing signal suitable for use in over
8 water flight services utilized in the oil and gas industry.

9 (2) Incorporation into the daily operations of all Part 91, Part 133 and
10 Part 135 operators, a system for satellite tracking of helicopters conducting over
11 water flights, including maintaining a command center to monitor the status of
12 such flights.

13 (3) Improvement of flight safety over water services by adoption of
14 emerging advances in aviation. The DA or his designated representative shall
15 also promote enhancements of required pre-flight briefings that maximize
16 passenger awareness of passenger safety, and emergency procedures. Where
17 appropriate, the DA shall provide information and recommendations to HSAC
18 for consideration of recommended practices for industry use of such systems
19 and devices.

20 D. The DA or his designated representative shall maintain familiarity
21 with all Part 91, Part 133 and Part 135 regulations promulgated by the FAA
22 pertaining to over water helicopter operations, and may obtain and review all
23 advisory circulars of the FAA that relate to such over water helicopter
24 operations in the state or adjacent to its shores, issued under those parts of the
25 Federal Aviation Regulations ("FAR"). Where appropriate, the DA or his
26 designated representative shall promote the adherence to the regulations and
27 adoption of the HSAC recommended practices.

28 E. The DA shall facilitate, as he deems necessary, information to the
29 director of operations of operators who provide over water flight services in the
30 state or adjacent to its shores, through publication on the Internet through an

1 identifiable link on the DOTD website, summaries or text of relevant new FAR
2 and Advisory Circulars published by the FAA or Recommended Practices
3 published by HSAC.

4 F.(1) The DA shall publish a report to the legislature, directed to the
5 chairs of the House and Senate committees on transportation, highways and
6 public works, wherein the DA shall summarize and comment upon all of the
7 following:

8 (a) The previous year's developments in safe practices for operators who
9 provide over water flight services in the state or adjacent to its shores, as such
10 safe practices have evolved over the previous twelve months, through the
11 federal and industry organizations referenced in this Part.

12 (b) Efforts made by the DA to insure knowledge of all such practices by
13 operators within the industry.

14 (2) The report shall be delivered to the committees no later than the first
15 of September, annually. A copy of the report shall also be sent to the director
16 of operations of each helicopter operator known by the DA to be engaged in
17 providing over water flight services in the offshore oil and gas industry.

18 Section 2. This Act shall be known and cited as "Jacob's Law".

19 Section 3. This Act shall become effective upon signature by the governor or, if not
20 signed by the governor, upon expiration of the time for bills to become law without signature
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
22 vetoed by the governor and subsequently approved by the legislature, this Act shall become
23 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____