

Lithium Battery Legislation One Focus of Transportation Mark-Up

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The House-Senate conference committee on the Federal Aviation Administration's (FAA) Reauthorization Bill (H.R. 658) continues to try to reconcile in chambers competing versions of that bill.

The House bill includes a provision that prohibits the FAA from issuing or enforcing any regulations or other requirement regarding the transportation by aircraft of lithium ion batteries, lithium metal batteries or equipment containing them, that are more stringent than the International Civil Aviation Organization Technical Instructions. The Senate bill does not include any such provision. How to address this difference is receiving considerable attention from conferees.

Most recently, the committee has extended its target date to report that bill until late July and it appears likely further extensions will be sought.

On the administrative front, the final version of the U.S. Department of Transportation rule published for comment in January 2010 remains under review at the White House Office of Management and Budget, as it has for some months.

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