

every 3 years and submit the update to the Secretary for review and approval.

(2) AIRPORTS.—An airport operator shall update each emergency contingency plan submitted by the operator under subsection (a) every 5 years and submit the update to the Secretary for review and approval.

(e) APPROVAL.—

(1) IN GENERAL.—Not later than 60 days after the date of the receipt of an emergency contingency plan submitted under subsection (a) or an update submitted under subsection (d), the Secretary shall review and approve or, if necessary, require modifications to the plan or update to ensure that the plan or update will effectively address emergencies and provide for the health and safety of passengers.

(2) FAILURE TO APPROVE OR REQUIRE MODIFICATIONS.—If the Secretary fails to approve or require modifications to a plan or update under paragraph (1) within the timeframe specified in that paragraph, the plan or update shall be deemed to be approved.

(3) ADHERENCE REQUIRED.—An air carrier or airport operator shall adhere to an emergency contingency plan of the carrier or operator approved under this section.

(f) MINIMUM STANDARDS.—The Secretary shall establish, as necessary or desirable, minimum standards for elements in an emergency contingency plan required to be submitted under this section.

(g) PUBLIC ACCESS.—An air carrier or airport operator required to submit an emergency contingency plan under this section shall ensure public access to the plan after its approval under this section on the Internet Web site of the carrier or operator or by such other means as determined by the Secretary.

(h) REPORTS.—Not later than 30 days after any flight experiences an excessive tarmac delay, the air carrier responsible for such flight shall submit a written description of the incident and its resolution to the Aviation Consumer Protection Division of the Department of Transportation.

(i) DEFINITIONS.—In this section, the following definitions apply:

(1) COMMERCIAL AIRPORT.—The term “commercial airport” means a large hub, medium hub, small hub, or nonhub airport.

(2) COVERED AIR TRANSPORTATION.—The term “covered air transportation” means scheduled or public charter passenger air transportation provided by an air carrier that operates an aircraft that as originally designed has a passenger capacity of 30 or more seats.

(3) TARMAC DELAY.—The term “tarmac delay” means the period during which passengers are on board an aircraft on the tarmac—

(A) awaiting takeoff after the aircraft doors have been closed or after passengers have been boarded if the passengers have not been advised they are free to deplane; or

(B) awaiting deplaning after the aircraft has landed.

(4) EXCESSIVE TARMAC DELAY.—The term “excessive tarmac delay” means a tarmac delay of more than—

(A) 3 hours for a flight in interstate air transportation; or

(B) 4 hours for a flight in foreign air transportation.

(Added Pub. L. 112–95, title IV, §415(a), Feb. 14, 2012, 126 Stat. 93; amended Pub. L. 114–190, title II, §2308(a), (b), July 15, 2016, 130 Stat. 648.)

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (a), is the date of enactment of Pub. L. 112–95, which was approved Feb. 14, 2012.

AMENDMENTS

2016—Subsec. (b)(3)(C). Pub. L. 114–190, §2308(a)(2), added subpar. (C). Former subpar. (C) redesignated (D).

Subsec. (b)(3)(D). Pub. L. 114–190, §2308(a)(1), (3), redesignated subpar. (C) as (D) and substituted “subparagraphs (A), (B), and (C)” for “subparagraphs (A) and (B)” in introductory provisions.

Subsec. (i)(4). Pub. L. 114–190, §2308(b), amended par. (4) generally. Prior to amendment, text read as follows: “The term ‘excessive tarmac delay’ means a tarmac delay that lasts for a length of time, as determined by the Secretary.”

EFFECTIVE DATE

Pub. L. 112–95, title IV, §415(c), Feb. 14, 2012, 126 Stat. 96, provided that: “Except as otherwise provided, the requirements of chapter 423 of title 49, United States Code, as added by this section, shall begin to apply 60 days after the date of enactment of this Act [Feb. 14, 2012].”

REGULATIONS

Pub. L. 114–190, title II, §2308(c), July 15, 2016, 130 Stat. 648, provided that: “Not later than 90 days after the date of enactment of this section [July 15, 2016], the Secretary of Transportation shall issue regulations and take other actions necessary to carry out the amendments made by this section [amending this section].”

§ 42302. Consumer complaints

(a) IN GENERAL.—The Secretary of Transportation shall establish a consumer complaints toll-free hotline telephone number for the use of passengers in air transportation and shall take actions to notify the public of—

(1) that telephone number; and

(2) the Internet Web site of the Aviation Consumer Protection Division of the Department of Transportation.

(b) NOTICE TO PASSENGERS ON THE INTERNET.—An air carrier or foreign air carrier providing scheduled air transportation using any aircraft that as originally designed has a passenger capacity of 30 or more passenger seats shall include on the Internet Web site of the carrier—

(1) the hotline telephone number established under subsection (a);

(2) the e-mail address, telephone number, and mailing address of the air carrier for the submission of complaints by passengers about air travel service problems; and

(3) the Internet Web site and mailing address of the Aviation Consumer Protection Division of the Department of Transportation for the submission of complaints by passengers about air travel service problems.

(c) NOTICE TO PASSENGERS ON BOARDING DOCUMENTATION.—An air carrier or foreign air carrier providing scheduled air transportation using

any aircraft that as originally designed has a passenger capacity of 30 or more passenger seats shall include the hotline telephone number established under subsection (a) on—

(1) prominently displayed signs of the carrier at the airport ticket counters in the United States where the air carrier operates; and

(2) any electronic confirmation of the purchase of a passenger ticket for air transportation issued by the air carrier.

(Added Pub. L. 112-95, title IV, §415(a), Feb. 14, 2012, 126 Stat. 95.)

EFFECTIVE DATE

Requirements of this section to begin to apply 60 days after Feb. 14, 2012, except as otherwise provided, see section 415(c) of Pub. L. 112-95, set out as a note under section 42301 of this title.

DOT AIRLINE CONSUMER COMPLAINT INVESTIGATIONS

Pub. L. 112-95, title IV, §408, Feb. 14, 2012, 126 Stat. 87, provided that: “The Secretary of Transportation may investigate consumer complaints regarding—

- “(1) flight cancellations;
- “(2) compliance with Federal regulations concerning overbooking seats on flights;
- “(3) lost, damaged, or delayed baggage, and difficulties with related airline claims procedures;
- “(4) problems in obtaining refunds for unused or lost tickets or fare adjustments;
- “(5) incorrect or incomplete information about fares, discount fare conditions and availability, overcharges, and fare increases;
- “(6) the rights of passengers who hold frequent flyer miles or equivalent redeemable awards earned through customer-loyalty programs; and
- “(7) deceptive or misleading advertising.”

§ 42303. Use of insecticides in passenger aircraft

(a) INFORMATION TO BE PROVIDED ON THE INTERNET.—The Secretary of Transportation shall establish, and make available to the general public, an Internet Web site that contains a listing of countries that may require an air carrier or foreign air carrier to treat an aircraft passenger cabin with insecticides prior to a flight in foreign air transportation to that country or to apply an aerosol insecticide in an aircraft cabin used for such a flight when the cabin is occupied with passengers.

(b) REQUIRED DISCLOSURES.—An air carrier, foreign air carrier, or ticket agent selling, in the United States, a ticket for a flight in foreign air transportation to a country listed on the Internet Web site established under subsection (a) shall refer the purchaser of the ticket to the Internet Web site established under subsection (a) for additional information.

(Added Pub. L. 112-95, title IV, §415(a), Feb. 14, 2012, 126 Stat. 95.)

EFFECTIVE DATE

Requirements of this section to begin to apply 60 days after Feb. 14, 2012, except as otherwise provided, see section 415(c) of Pub. L. 112-95, set out as a note under section 42301 of this title.

SUBPART III—SAFETY

CHAPTER 441—REGISTRATION AND RECORDATION OF AIRCRAFT

Sec. 44101. Operation of aircraft.

Sec. 44102.	Registration requirements.
44103.	Registration of aircraft.
44104.	Registration of aircraft components and dealers' certificates of registration.
44105.	Suspension and revocation of aircraft certificates.
44106.	Revocation of aircraft certificates for controlled substance violations.
44107.	Recordation of conveyances, leases, and security instruments.
44108.	Validity of conveyances, leases, and security instruments.
44109.	Reporting transfer of ownership.
44110.	Information about aircraft ownership and rights.
44111.	Modifications in registration and recordation system for aircraft not providing air transportation.
44112.	Limitation of liability.
44113.	Definitions.

AMENDMENTS

2004—Pub. L. 108-297, §6(b), Aug. 9, 2004, 118 Stat. 1097, added item 44113.

§ 44101. Operation of aircraft

(a) REGISTRATION REQUIREMENT.—Except as provided in subsection (b) of this section, a person may operate an aircraft only when the aircraft is registered under section 44103 of this title.

(b) EXCEPTIONS.—A person may operate an aircraft in the United States that is not registered—

- (1) when authorized under section 40103(d) or 41703 of this title;
- (2) when it is an aircraft of the national defense forces of the United States and is identified in a way satisfactory to the Administrator of the Federal Aviation Administration; and
- (3) for a reasonable period of time after a transfer of ownership, under regulations prescribed by the Administrator.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1161.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44101(a)	49 App.:1401(a) (1st sentence words before proviso less words between parentheses).	Aug. 23, 1958, Pub. L. 85-726, §501(a), 72 Stat. 771.
44101(b)	49 App.:1401(a) (1st sentence words between parentheses, proviso, last sentence). 49 App.:1655(c)(1).	Oct. 15, 1966, Pub. L. 89-670, §6(c)(1), 80 Stat. 938; Jan. 12, 1963, Pub. L. 97-449, §7(b), 96 Stat. 2444.

In this section, the word “navigate” is omitted as being included in the definition of “operate aircraft” in section 40102(a) of the revised title.

In subsection (a), the words “Except as provided in subsection (b) of this section” are added for clarity. The words “a person may . . . an aircraft only when the aircraft is registered under section 44103 of this title” are substituted for “It shall be unlawful . . . any aircraft eligible for registration if such aircraft is not registered by its owner as provided in this section, or . . . any aircraft not eligible for registration” for clarity and to eliminate unnecessary words.

In subsection (b), before clause (1), the words “A person may operate an aircraft in the United States that