

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1151(a) .....	49 App.:1487(a) (related to CAB). 49 App.:1655(d) (1st sentence). 49 App.:1903(a)(1)(A).	Aug. 23, 1958, Pub. L. 85-726, §§1007 (related to CAB), 1008 (related to CAB), 72 Stat. 796. Oct. 15, 1966, Pub. L. 89-670, §6(d) (1st sentence), 80 Stat. 938. Jan. 3, 1975, Pub. L. 93-633, §304(a)(1)(A), 88 Stat. 2168.
1151(b) .....	49 App.:1487(b) (related to CAB). 49 App.:1655(d) (1st sentence). 49 App.:1903(a)(1)(A).	
1151(c) .....	49 App.:1488 (related to CAB). 49 App.:1655(d) (1st sentence). 49 App.:1903(a)(1)(A).	

In this section, the words “section 1132, 1134(b) or (f)(1) (related to an aircraft accident), or 1155(a) of this title” are substituted for “issued under this chapter” and “provisions of this chapter” because those sections restate the relevant provisions of 49 App.:ch. 20 carried out by the National Transportation Safety Board.

In subsections (a) and (b), the word “rule” is omitted as being synonymous with “regulation”. The word “requirement” is omitted as being included in “order”. The words “or any term, condition, or limitation of any certificate or permit” are omitted because the National Transportation Safety Board does not have authority to issue certificates or permits.

In subsection (a), the words “their duly authorized agents” are omitted as surplus. The words “may bring a civil action” are substituted for “may apply” in 49 App.:1487(a) for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words “An action under this subsection may be brought in the judicial district in which” are substituted for “for any district wherein” for clarity. The text of 49 App.:1487(a) (words after semicolon) is omitted as unnecessary because of rule 81(b) of the Federal Rules of Civil Procedure (28 App. U.S.C.).

In subsection (b), before clause (1), the words “Attorney General” are substituted for “any district attorney of the United States” in 49 App.:1487(b) because of 28:509. The words “to whom the Board or Secretary of Transportation may apply” are omitted as surplus. The words “may bring a civil action” are substituted for “is authorized to institute . . . all necessary proceedings” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words “under the direction of the Attorney General” are omitted as unnecessary because of 28:516. The text of 49 App.:1487(b) (words after last comma) is omitted as obsolete.

In subsection (c), the words “civil action” are substituted for “proceeding in court” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.).

## AMENDMENTS

2000—Pub. L. 106-181 inserted “1136(g)(2),” before “or 1155(a)” in subsecs. (a), (b)(1), and (c).

## EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-181 applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as a note under section 106 of this title.

**§ 1152. Joinder and intervention in aviation proceedings**

A person interested in or affected by a matter under consideration in a proceeding or a civil action to enforce section 1132, 1134(b) or (f)(1) (related to an aircraft accident), or 1155(a) of this title, or a regulation prescribed or order is-

sued under any of those sections, may be joined as a party or permitted to intervene in the proceeding or civil action.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 756.)

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1152 .....	49 App.:1489. 49 App.:1655(d) (1st sentence). 49 App.:1903(a)(1)(A).	Aug. 23, 1958, Pub. L. 85-726, §1009, 72 Stat. 796. Oct. 15, 1966, Pub. L. 89-670, §6(d) (1st sentence), 80 Stat. 938. Jan. 3, 1975, Pub. L. 93-633, §304(a)(1)(A), 88 Stat. 2168.

The words “civil action” are substituted for “proceedings . . . begun originally in any court of the United States” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words “section 1132, 1134(b) or (f)(1) (related to an aircraft accident), or 1155(a) of this title” are substituted for “the provisions of this chapter” in 49 App.:1489 because 49 App.:1489 is taken from 49 App.:ch. 20 and the sections in quotations restate the relevant provisions of 49 App.:ch. 20 carried out by the National Transportation Safety Board. The remaining relevant provisions of 49 App.:ch. 20 are restated in part A of subtitle VII of the revised title, and provisions comparable to this section are included as section 46109 of the revised title. The word “rule” is omitted as being synonymous with “regulation”. The word “requirement” is omitted as included in “order”. The words “or any term, condition, or limitation of any certificate or permit” are omitted because the Board does not have authority to issue certificates or permits. The words “may be joined as a party or permitted to intervene” are substituted for “it shall be lawful to include as parties, or to permit the intervention of” for clarity. The text of 49 App.:1489 (words after semicolon) is omitted as surplus.

**§ 1153. Judicial review**

(a) GENERAL.—The appropriate court of appeals of the United States or the United States Court of Appeals for the District of Columbia Circuit may review a final order of the National Transportation Safety Board under this chapter. A person disclosing a substantial interest in the order may apply for review by filing a petition not later than 60 days after the order of the Board is issued.

(b) PERSONS SEEKING JUDICIAL REVIEW OF AVIATION MATTERS.—(1) A person disclosing a substantial interest in an order related to an aviation matter issued by the Board under this chapter may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business. The petition must be filed not later than 60 days after the order is issued. The court may allow the petition to be filed after the 60 days only if there was a reasonable ground for not filing within that 60-day period.

(2) When a petition is filed under paragraph (1) of this subsection, the clerk of the court immediately shall send a copy of the petition to the Board. The Board shall file with the court a record of the proceeding in which the order was issued.

(3) When the petition is sent to the Board, the court has exclusive jurisdiction to affirm, amend, modify, or set aside any part of the