

The words “pursuant to its authority” are omitted as surplus.

In subsection (c), the word “passengers” is substituted for “persons” for consistency in the revised title and with other titles of the Code. The words “through service by the commuter air carrier over the commuter air carrier’s routes” are substituted for “transportation over its routes” for clarity. The words “between air carriers and commuter air carriers” are omitted as surplus.

§ 41506. Price division filing requirements for foreign air transportation

Every air carrier and foreign air carrier shall keep currently on file with the Secretary of Transportation, if the Secretary requires, the established divisions of all joint prices for foreign air transportation in which the carrier participates.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1134.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
41506	49 App.:1373(d). 49 App.:1551(a)(4)(B) (related to 49 App.:1373(d), (b)(1)(E)).	Aug. 23, 1958, Pub. L. 85–726, § 403(d), 72 Stat. 759. Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §1601(a)(4)(B) (related to §403(d), (b)(1)(E)); added Oct. 4, 1984, Pub. L. 98–443, §3(c)(e), 98 Stat. 1703, 1704.

The words “foreign air transportation” are substituted for “air transportation” because 49 App.:1551(a)(4)(B) provides that 49 App.:1373 no longer applies to interstate or overseas air transportation and 49 App.:1376(a)–(e), restated in section 41901 of the revised title, governs rates for the transportation of mail by aircraft. See section 40102(a) of the revised title defining “air transportation” to mean interstate or foreign air transportation or the transportation of mail by aircraft.

§ 41507. Authority of the Secretary of Transportation to change prices, classifications, rules, and practices for foreign air transportation

(a) GENERAL.—When the Secretary of Transportation decides that a price charged or received by an air carrier or foreign air carrier for foreign air transportation, or a classification, rule, or practice affecting that price or the value of the transportation provided under that price, is or will be unreasonably discriminatory, the Secretary may—

(1) change the price, classification, rule, or practice as necessary to correct the discrimination; and

(2) order the air carrier or foreign air carrier to stop charging or collecting the discriminatory price or carrying out the discriminatory classification, rule, or practice.

(b) WHEN SECRETARY MAY ACT.—The Secretary may act under this section on the Secretary’s own initiative or on a complaint filed with the Secretary and only after notice and an opportunity for a hearing.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1134.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
41507(a)	49 App.:1482(f) (words after 4th comma). 49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85–726, §1002(f), 72 Stat. 789. Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §1601(b)(1)(E); added Oct. 4, 1984, Pub. L. 98–443, §3(e), 98 Stat. 1704.
41507(b)	49 App.:1482(f) (words before 4th comma). 49 App.:1551(b)(1)(E).	

In subsection (a), before clause (1), the words “individual or joint” are omitted as surplus. The words “charged or received” are substituted for “demanded, charged, collected, or received” to eliminate unnecessary words. The words “unreasonably discriminatory” are substituted for “unjustly discriminatory, or unduly preferential, or unduly prejudicial” for consistency in the revised title and to eliminate unnecessary words. See the revision notes following 49:10101. In clause (2), the words “carrying out” are substituted for “enforcing” for clarity.

In subsection (b), the words “opportunity for a” are added for consistency in the revised title and with other titles of the United States Code.

§ 41508. Authority of the Secretary of Transportation to adjust divisions of joint prices for foreign air transportation

(a) GENERAL.—When the Secretary of Transportation decides that a division between air carriers, foreign air carriers, or both, of a joint price for foreign air transportation is or will be unreasonable or unreasonably discriminatory against any of those carriers, the Secretary shall prescribe a reasonable division of the joint price among those carriers. The Secretary may order the adjustment in the division of the joint price to be made retroactively to the date the complaint was filed, the date the order for an investigation was made, or a later date the Secretary decides is reasonable.

(b) WHEN SECRETARY MAY ACT.—The Secretary may act under this section on the Secretary’s own initiative or on a complaint filed with the Secretary and only after notice and an opportunity for a hearing.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1135.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
41508(a)	49 App.:1482(h) (words after 3d comma). 49 App.:1551(a)(5)(D) (related to 49 App.:1482(h)), (b)(1)(E).	Aug. 23, 1958, Pub. L. 85–726, §1002(h), 72 Stat. 790; Nov. 9, 1977, Pub. L. 95–163, §18(c), 91 Stat. 1287. Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §1601(a)(5)(D) (related to §1002(h), (b)(1)(E)); added Oct. 4, 1984, Pub. L. 98–443, §3(c)(e), 98 Stat. 1703, 1704.
41508(b)	49 App.:1482(h) (words before 3d comma). 49 App.:1551(a)(5)(D) (related to 49 App.:1482(h)), (b)(1)(E).	

In subsection (a), the words “interstate air transportation of persons, air transportation of property within the State of Alaska, air transportation of property within the state of Hawaii, or overseas or” are omitted because 49:1551(a)(5)(D) provides that 49 App.:1482(h) applies only to foreign air transportation. The words “un-