

## §213.7

with the terms, conditions and limitations of such permit: *Provided*, That upon a showing that a violation of a provision not mandatorily prescribed by law resulted from the observance by the holder of an obligation, duty or liability imposed by a foreign country, the Department may excuse the violation.

[ER-624, 35 FR 8881, June 9, 1970, as amended at 61 FR 34725, July 3, 1996]

### §213.7 Filing requirements for adherence to Montreal Agreement.

It shall be a condition upon the holding of a foreign air carrier permit or other authority authorizing direct foreign scheduled air transportation that the holder have and maintain in effect and on file with the Department a signed counterpart of Agreement 18900 (OST Form 4523), and a tariff (for those carriers otherwise generally required to file tariffs) that includes its provisions, and comply with all other requirements of part 203 of this chapter. That form can be obtained from the Foreign Air Carrier Licensing Division (X-45), Office of International Aviation, Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590.

(Approved by the Office of Management and Budget under control number 3024-0064)

[ER-1330, 48 FR 8050, Feb. 25, 1983, as amended by ER-1346, 48 FR 31014, July 6, 1983; 61 FR 34725, July 3, 1996]

## PART 214—TERMS, CONDITIONS, AND LIMITATIONS OF FOREIGN AIR CARRIER PERMITS AUTHORIZING CHARTER TRANSPORTATION ONLY

Sec.

214.1 Applicability.

214.2 Terms of service.

AUTHORITY: 49 U.S.C. 40101, 40102, 40109, 40113, 41504, 41708, 41712, and 46101.

### §214.1 Applicability.

This part establishes the terms, conditions, and limitations applicable to charter foreign air transportation pursuant to foreign air carrier permits au-

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thorizing the holder to engage in charter transportation only.

(Secs. 204, 402, Pub. L. 85-726, as amended, 72 Stat. 743, 757; 49 U.S.C. 1324, 1371)

[ER-1223, 46 FR 28379, May 26, 1981]

### §214.2 Terms of service.

Charter air transportation under this part shall be performed in accordance with the provisions of part 212 of this chapter.

(Secs. 204, 402, Pub. L. 85-726, as amended, 72 Stat. 743, 757; 49 U.S.C. 1324, 1371)

[ER-1223, 46 FR 28379, May 26, 1981]

## PART 215—USE AND CHANGE OF NAMES OF AIR CARRIERS, FOREIGN AIR CARRIERS AND COMMUTER AIR CARRIERS

Sec.

215.1 Applicability.

215.2 Purpose.

215.3 Use of name.

215.4 Change of name or use of trade name.

215.5 Procedure in case of similarity of names.

215.6 Acknowledgment of registration.

AUTHORITY: 49 U.S.C. Chapters 401, 411, 413, 417.

SOURCE: 53 FR 17923, May 19, 1988, unless otherwise noted.

### §215.1 Applicability.

This part applies to all certificated air carriers, commuter air carriers, and foreign direct air carriers and to initial and amended applications for authority, applications for certificate or permit transfers or reissuances, and registration of business names.

[Doc. No. DOT-OST-2014-0140, 84 FR 15925, Apr. 16, 2019]

### §215.2 Purpose.

This part sets rules under which direct air carriers may use the names in their operating authorizations and change those names. It further provides for notification to air carriers that may be affected by the use by other air carriers of the same or similar names. Its purpose is to place the responsibility for resolving private disputes about the use of similar names with the air carriers involved, through recourse to the trade names statutes