

SUBCHAPTER C—LICENSING

PART 411 [RESERVED]

SOURCE: Amdt. 413-03, 64 FR 19614, Apr. 21, 1999, unless otherwise noted.

PART 413—LICENSE APPLICATION PROCEDURES

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AUTHORITY: 51 U.S.C. 50901–50923.

§ 413.1 Scope of this part.

(a) This part explains how to apply for a license or experimental permit. These procedures apply to all applications for obtaining a license or permit, transferring a license, and renewing a license or permit. In this part, the term application means either an application in its entirety, or a portion of an application for incremental review and determination in accordance with § 450.33 of this chapter.

(b) Use paragraphs (b)(1) through (7) in the following table to locate specific requirements:

Subject	Part
(1) Obtaining a Launch License (<i>only applications accepted before June 8, 2021</i>)	415
(2) License to Operate a Launch Site	420
(3) Launch and Reentry of a Reusable Launch Vehicle (RLV) (<i>only applications accepted before June 8, 2021</i>)	431
(4) License to Operate a Reentry Site	433
(5) Reentry of a Reentry Vehicle other than a Reusable Launch Vehicle (RLV) (<i>only applications accepted before June 8, 2021</i>)	435
(6) Experimental Permits	437
(7) Launch and Reentry License Requirements	450

[Doc. No. FAA–2019–0229, Amdt. 413–12, 85 FR 79710, Dec. 10, 2020]

EFFECTIVE DATE NOTE: At 85 FR 79710, Dec. 10, 2020, § 413.1 was amended by revising paragraphs (b)(1) through (4) and removing paragraphs (b)(5) through (7), effective Mar. 10,

2026. For the convenience of the user, the revised text is set forth as follows:

§ 413.1 Scope of this part.

- * * * * *
- (b) * * *

Subject	Part
(1) License to Operate a Launch Site	420
(2) License to Operate a Reentry Site	433
(3) Experimental Permits	437
(4) Launch and Reentry License Requirements	450

§ 413.3 Who must obtain a license or permit.

(a) A person must obtain a license in accordance with this section, unless eligible for an experimental permit under paragraph (f) of this section.

(b) A person must obtain a license to—

- (1) Launch a launch vehicle from the United States;

(2) Operate a launch site within the United States;

(3) Reenter a reentry vehicle in the United States; or

(4) Operate a reentry site within the United States.

(c) A person who is a U.S. citizen or an entity organized under the laws of the United States or any State must obtain a license to—

(1) Launch a launch vehicle outside the United States;

(2) Operate a launch site outside the United States;

(3) Reenter a reentry vehicle outside the United States; or

(4) Operate a reentry site outside the United States.

(d) A foreign entity in which a United States citizen has a controlling interest must obtain a license to launch a launch vehicle from or to operate a launch site in—

(1) Any place that is outside the territory or territorial waters of any nation, unless there is an agreement in force between the United States and a foreign nation providing that such foreign nation has jurisdiction over the launch or the operation of the launch site; or

(2) The territory of any foreign nation, including its territorial waters, if there is an agreement in force between the United States and that foreign nation providing that the United States has jurisdiction over the launch or the operation of the launch site.

(e) A foreign entity in which a U.S. citizen has a controlling interest must obtain a license to reenter a reentry vehicle or to operate a reentry site in—

(1) Any place that is outside the territory or territorial waters of any nation, unless there is an agreement in force between the United States and a foreign nation providing that such foreign nation has jurisdiction over the reentry or the operation of the reentry site; or

(2) The territory of any foreign nation if there is an agreement in force between the United States and that foreign nation providing that the United States has jurisdiction over the reentry or the operation of the reentry site.

(f) A person, individual, or foreign entity otherwise requiring a license under this section may instead obtain an experimental permit to launch or reenter a reusable suborbital vehicle under part 437 of this chapter.

[Doc. No. FAA-2006-24197, 72 FR 17017, Apr. 6, 2007, as amended by Doc. No. FAA-2023-1656, Amdt. No. 413-13, 89 FR 76726, Sept. 19, 2024]

§ 413.5 Pre-application consultation.

A prospective applicant must consult with the FAA before submitting an application to discuss the application process and possible issues relevant to the FAA's licensing or permitting decision. Early consultation helps an applicant to identify possible regulatory issues at the planning stage when changes to an application or to proposed licensed or permitted activities are less likely to result in significant delay or costs to the applicant.

[Doc. No. FAA-2006-24197, 72 FR 17018, Apr. 6, 2007]

§ 413.7 Application submission.

(a) An applicant must make an application in writing and in English. The applicant must file the application with the Federal Aviation Administration either by paper, by use of physical electronic storage, or by email in the following manner:

(1) For applications submitted on paper, an applicant must send two copies of the application to the Federal Aviation Administration, Associate Administrator for Commercial Space Transportation, Room 331, 800 Independence Avenue SW., Washington, DC 20591. Attention: Application Review.

(2) For an application submitted by use of physical electronic storage, the applicant must either mail the application to the address specified in paragraph (a)(1) of this section or hand-deliver the application to an authorized FAA representative. The application and the physical electronic storage containing the application must also satisfy all of the following criteria:

(i) The application must include a cover letter that is printed on paper and signed by the person who signed the application or by an authorized representative of the applicant;

(ii) The cover letter must identify each document that is included on the physical electronic storage; and

(iii) The physical electronic storage must be in a format such that its contents cannot be altered.

(3) For an application submitted by email, an applicant must send the application as an email attachment, or as a link to a secure server, to

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ASTApplications@faa.gov. The application and the email to which the application is attached or linked must also satisfy the following criteria:

(i) The email to which the application is attached or linked must be sent from an email address controlled by the person who signed the application or by an authorized representative of the applicant;

(ii) The email must identify each document that is included as an attachment or that is stored on a secure server; and

(iii) The electronic files must be date-stamped and have version control documentation.

(b) *Administrative information*. An application must identify the following:

(1) The name and address of the applicant;

(2) The name, address, and telephone number of any person to whom inquiries and correspondence should be directed; and

(3) The type of license or permit for which the applicant is applying.

(c) *Signature and certification of accuracy*. An application must be legibly signed, dated, and certified as true, complete, and accurate by one of the following:

(1) For a corporation: An officer or other individual authorized to act for the corporation in licensing or permitting matters.

(2) For a partnership or a sole proprietorship: A general partner or proprietor, respectively.

(3) For a joint venture, association, or other entity: An officer or other individual authorized to act for the joint venture, association, or other entity in licensing or permitting matters.

(d) *Safety approval*. If the applicant proposes to include a safety element for which the FAA issued a safety approval under part 414 in the proposed license activity, the applicant must—

(1) Identify the safety approval in the application and explain the proposed use of the approved safety element.

(2) Show that the proposed use of the approved safety element is consistent with the designated scope specified in the safety approval.

(3) Certify that the safety element will be used according to any terms

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and conditions of the issued safety approval.

(e) *Measurement system consistency*. For each analysis, an applicant must employ a consistent measurements system, whether English or metric, in its application and licensing information.

[Amdt. 413–03, 64 FR 19614, Apr. 21, 1999, as amended by Amdt. 413–6, 71 FR 46852, Aug. 15, 2006; Amdt. 413–8, 71 FR 51972, Aug. 31, 2006; Amdt. 413–7, 71 FR 56005, Sept. 26, 2006; Amdt. 413–9, 72 FR 17018, Apr. 6, 2007; Amdt. 413–11, 80 FR 30151, May 27, 2015; Doc. No. FAA–2019–0229, Amdt. 413–12, 85 FR 79711, Dec. 10, 2020]

§ 413.9 Confidentiality.

(a) Any person furnishing information or data to the FAA may request in writing that trade secrets or proprietary commercial or financial data be treated as confidential. The request must be made at the time the information or data is submitted, and state the period of time for which confidential treatment is desired.

(b) Information or data for which any person or agency requests confidentiality must be clearly marked with an identifying legend, such as “Proprietary Information,” “Proprietary Commercial Information,” “Trade Secret,” or “Confidential Treatment Requested.” Where this marking proves impracticable, a cover sheet containing the identifying legend must be securely attached to the compilation of information or data for which confidential treatment is requested.

(c) If a person requests that previously submitted information or data be treated confidentially, the FAA will do so to the extent practicable in light of any prior distribution of the information or data.

(d) Information or data for which confidential treatment has been requested or information or data that qualifies for exemption under section 552(b)(4) of Title 5, United States Code, will not be disclosed to the public unless the Associate Administrator determines that the withholding of the information or data is contrary to the public or national interest.

§ 413.11 Acceptance of an application.

The FAA will initially screen an application to determine whether it is complete enough for the FAA to start

its review. After completing the initial screening, the FAA will notify the applicant in writing of one of the following:

(a) The FAA accepts the application and will initiate review; or

(b) The application is so incomplete or indefinite that the FAA cannot start to evaluate it. The FAA will reject it and notify the applicant, stating each reason for rejecting it and what action the applicant must take for the FAA to accept the application. The FAA may return a rejected application to the applicant or may hold it until the applicant takes the required actions.

[Doc. No. FAA-2006-24197, 72 FR 17018, Apr. 6, 2007; Doc. No. FAA-2019-0229, Amdt. 413-12, 85 FR 79711, Dec. 10, 2020]

§413.13 Complete application.

The FAA's acceptance of an application does not mean it has determined that the application is complete. If, in addition to the information required by this chapter, the FAA requires other information necessary for a determination that public health and safety, safety of property, and national security and foreign policy interests of the United States are protected during the conduct of a licensed or permitted activity, an applicant must submit the additional information.

[Doc. No. FAA-2006-24197, 72 FR 17018, Apr. 6, 2007]

§413.15 Review period.

(a) *Review period duration.* Unless otherwise specified in this chapter, the FAA reviews and makes a license or permit determination on an accepted application in accordance with the time frame specified in 51 U.S.C. 50905(a)(1). The FAA will establish the time frame for any incremental review and determination with an applicant on a case-by-case basis during pre-application consultation.

(b) *Review period tolled.* If an accepted application does not provide sufficient information to continue or complete the reviews or evaluations required by this chapter for a license, permit, or incremental determination, or an issue exists that would affect a determination, the FAA notifies the applicant, in writing, and informs the applicant of

any information required to complete the application. If the FAA cannot review an accepted application because of lack of information or for any other reason, the FAA will toll the review period until the FAA receives the information it needs or the applicant resolves the issue.

(c) *Notice.* Except for applications under incremental review and determination in accordance with §450.33, if the FAA does not make a decision in accordance with the time frame specified in 51 U.S.C. 50905(a)(1) for an accepted license application or 51 U.S.C. 50906(a) for an accepted permit application, the FAA informs the applicant, in writing, of any outstanding information needed to complete the review, or of any issues that would affect the decision.

[Doc. No. FAA-2019-0229, Amdt. 413-12, 85 FR 79711, Dec. 10, 2020]

§413.17 Continuing accuracy of application; supplemental information; amendment.

(a) An applicant must ensure the continuing accuracy and completeness of information furnished to the FAA as part of a pending license or permit application. If at any time the information an applicant provides is no longer accurate and complete in all material respects, the applicant must submit new or corrected information. As part of this submission, the applicant must recertify the accuracy and completeness of the application under §413.7. If an applicant does not comply with any of the requirements set forth in this paragraph, the FAA can deny the license or permit application.

(b) An applicant may amend or supplement a license or permit application at any time before the FAA issues or transfers the license or permit.

(c) Willful false statements made in any application or document relating to an application, license, or permit are punishable by fine and imprisonment under section 1001 of Title 18, United States Code, and by administrative sanctions in accordance with part 405 of this chapter.

[Doc. No. FAA-2006-24197, 72 FR 17018, Apr. 6, 2007]

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§ 413.19 Issuing a license or permit.

After the FAA completes its reviews and makes the decisions required by this chapter, the FAA issues a license or permit to the applicant.

[Doc. No. FAA–2006–24197, 72 FR 17019, Apr. 6, 2007]

§ 413.21 Denial of a license application.

(a) The FAA informs an applicant, in writing, if it denies an application and states the reasons for denial.

(b) If the FAA has denied an application in its entirety, the applicant may either—

(1) Attempt to correct any deficiencies identified and ask the FAA to reconsider the revised application, in which case the FAA has 60 days or the number of days remaining in the review period, whichever is greater, within which to reconsider the decision; or

(2) Request a hearing in accordance with part 406 of this chapter, for the purpose of showing why the application should not be denied.

(c) An applicant whose application is denied after reconsideration under paragraph (b)(1) of this section may request a hearing in accordance with paragraph (b)(2) of this section.

[Amdt. 413–03, 64 FR 19614, Apr. 21, 1999, as amended by Amdt. 413–9, 72 FR 17019, Apr. 6, 2007; Doc. No. FAA–2019–0229, Amdt. 413–12, 85 FR 79711, Dec. 10, 2020]

§ 413.23 License or permit renewal.

(a) Eligibility. (1) A licensee or permittee may apply to renew its license or permit by submitting to the FAA a written application for renewal at least 90 days before the license expires or at least 60 days before the permit expires, unless the Administrator agrees to a different time frame in accordance with §404.15.

(2) A request to renew a licensed under parts 415, 431, and 435 may be granted with a non-standard duration so as not to exceed March 10, 2026.

(b) Application. (1) A license or permit renewal application must satisfy the requirements set forth in this part and any other applicable part of this chapter.

(2) The application may incorporate by reference information provided as part of the application for the expiring

license or permit, including any modifications to the license or permit.

(3) An applicant must describe any proposed changes in its conduct of licensed or permitted activities and provide any additional clarifying information required by the FAA.

(c) Review of application. The FAA reviews the application to determine whether to renew the license or permit for an additional term. The FAA may incorporate by reference any findings that are part of the record for the expiring license or permit.

(d) Renewal of license or permit. After the FAA finishes its reviews, the FAA issues an order modifying the expiration date of the license or permit. The FAA may impose additional or revised terms and conditions necessary to protect public health and safety and the safety of property and to protect U.S. national security and foreign policy interests. The renewal period for a license issued under parts 415, 431, or 435 of this chapter cannot extend beyond March 10, 2026.

(e) Denial of license or permit renewal. The FAA informs a licensee or permittee, in writing, if the FAA denies the application for renewal and states the reasons for denial. If the FAA denies an application, the licensee or permittee may follow the procedures of §413.21 of this part.

[Doc. No. FAA–2006–24197, 72 FR 17019, Apr. 6, 2007, as amended by Doc. No. FAA–2019–0229, Amdt. 413–12, 85 FR 79711, Dec. 10, 2020]

EFFECTIVE DATE NOTE: At 85 FR 79711, Dec. 10, 2020, §413.23 was amended by revising paragraphs (a) and (d), effective Mar. 10, 2026. For the convenience of the user, the revised text is set forth as follows:

§ 413.23 License or permit renewal.

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(a) Eligibility. A licensee or permittee may apply to renew its license or permit by submitting to the FAA a written application for renewal at least 90 days before the license expires or at least 60 days before the permit expires, unless the Administrator agrees to a different time frame in accordance with §404.15.

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(d) Renewal of license or permit. After the FAA finishes its reviews, the FAA issues an

order modifying the expiration date of the license or permit. The FAA may impose additional or revised terms and conditions necessary to protect public health and safety and the safety of property and to protect U.S. national security and foreign policy interests.

SOURCE: Doc. No. FAA-2019-0229, Amdt. 414-4, 85 FR 79711, Dec. 10, 2020, unless otherwise noted.

Subpart A—General

§414.1 Scope.

This part establishes procedures for obtaining a safety element approval and renewing and transferring an existing safety element approval. Safety element approvals issued under this part may be used to support the application review for one or more vehicle operator license requests under other parts of this chapter.

§414.3 Definitions.

Safety element. For purposes of this part, a safety element is any one of the items or persons (personnel) listed in paragraphs (1) and (2) of the definition of “safety element approval” in this section.

Safety element approval. For purposes of this part, a safety element approval is an FAA document containing the FAA determination that one or more of the safety elements listed in paragraphs (1) and (2) of this definition, when used or employed within a defined envelope, parameter, or situation, will not jeopardize public health and safety or safety of property. A safety element approval may be issued independent of a license, and does not confer any authority to conduct activities for which a license is required under 14 CFR chapter III. A safety element approval does not relieve its holder of the duty to comply with all applicable requirements of law or regulation that may apply to the holder’s activities.

(1) Launch vehicle, reentry vehicle, safety system, process, service, or any identified component thereof; or

(2) Qualified and trained personnel, performing a process or function related to licensed activities or vehicles.

§414.5 Applicability.

This part applies to an applicant that wants to obtain a safety element approval for any of the safety elements defined under this part and to persons granted a safety element approval under this part. Any person eligible under this part may apply to become

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PART 414—SAFETY ELEMENT APPROVALS

Sec.

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AUTHORITY: 51 U.S.C. 50901–50923.