

permit the use of, any gambling device on board an aircraft in foreign air transportation.

(b) DEFINITION.—In this section, the term “gambling device” means any machine or mechanical device (including gambling applications on electronic interactive video systems installed on board aircraft for passenger use)—

(1) which when operated may deliver, as the result of the application of an element of chance, any money or property; or

(2) by the operation of which a person may become entitled to receive, as the result of the application of an element of chance, any money or property.

(Added Pub. L. 103-305, title II, §205(a)(1), Aug. 23, 1994, 108 Stat. 1583.)

**Statutory Notes and Related Subsidiaries**

STUDY OF GAMBLING ON COMMERCIAL AIRCRAFT

Pub. L. 103-305, title II, §205(b), Aug. 23, 1994, 108 Stat. 1583, provided that the Secretary, not later than 1 year after Aug. 23, 1994, was to complete a study of the aviation safety effects of gambling applications on electronic interactive video systems installed on board aircraft for passenger use and the competitive implications of permitting foreign air carriers only, but not United States air carriers, to install, transport, and operate gambling applications on electronic interactive video systems on board aircraft on flights over international waters, and provided that the Secretary, within 5 days after the completion of the study, would submit a report to Congress on the results of the study.

**§ 41312. Ending or suspending foreign air transportation**

(a) GENERAL.—An air carrier holding a certificate issued under section 41102 of this title to provide foreign air transportation—

(1) may end or suspend the transportation to a place under the certificate only when the carrier gives at least 90 days notice of its intention to end or suspend the transportation to the Secretary of Transportation, any community affected by that decision, and the State authority of the State in which a community is located; and

(2) if it is the only air carrier holding a certificate to provide non-stop or single-plane foreign air transportation between 2 places, may end or suspend the transportation between those places only when the carrier gives at least 60 days notice of its intention to end or suspend the transportation to the Secretary and each community directly affected by that decision.

(b) TEMPORARY SUSPENSION.—The Secretary may authorize the temporary suspension of foreign air transportation under subsection (a) of this section when the Secretary finds the suspension is in the public interest.

(Added Pub. L. 103-429, §6(51)(A), Oct. 31, 1994, 108 Stat. 4384; amended Pub. L. 104-287, §5(72), Oct. 11, 1996, 110 Stat. 3396.)

HISTORICAL AND REVISION NOTES  
PUB. L. 103-429

| <i>Revised Section</i> | <i>Source (U.S. Code)</i>               | <i>Source (Statutes at Large)</i>  |
|------------------------|---|--|
| 41312(a) .....         | 49 App.:1371(j)(1) (1st sentence), (2). | Aug. 23, 1958, Pub. L. 85-726, § 401(j), 72 Stat. 756, as restated Oct. 24, 1978, Pub. L. 95-504, §19(a), 92 Stat. 1720. |

HISTORICAL AND REVISION NOTES—CONTINUED  
PUB. L. 103-429

| <i>Revised Section</i> | <i>Source (U.S. Code)</i>   | <i>Source (Statutes at Large)</i>  |
|------------------------|---|--|
|                        | 49 App.:1551(a)(1)(D).  | Aug. 23, 1958, Pub. L. 85-726, §1601(a)(1)(D), as added Oct. 24, 1978, Pub. L. 95-504, § 40(a), 92 Stat. 1744. |
|                        | 49 App.:1551(b)(1)(E).  | Aug. 23, 1958, Pub. L. 85-726, §1601(b)(1)(E), as added Oct. 4, 1984, Pub. L. 98-443, §3(e), 98 Stat. 1704.    |
| 41312(b) .....         | 49 App.:1371(j)(1) (last sentence),<br>49 App.:1551(a)(1)(D),<br>(b)(1)(E). |  |

In the section, the text of 49 App.:1371(j) (related to interstate and overseas transportation of persons) is omitted because of 49 App.:1551(a)(1)(D). The text of 49 App.:1371(j) (related to other interstate and overseas air transportation and the domestic air transportation of mail) is omitted because a certificate of public convenience and necessity is no longer required. See H.R. Rept. 98-793, 98th Cong., 2d Sess., p. 10 (1984). The text of 49 App.:1371(j) (related to essential air transportation) is omitted as superseded by 49 App.:1389, restated as subchapter II of chapter 417 of title 49.

In subsection (a)(1) and (2), the word “place” is substituted for “point” for consistency in the revised title. The words “by that decision” are added for clarity.

In subsection (a)(1), the words “which it is providing” are omitted as surplus. The word “authority” is substituted for “agency” for consistency in the revised title and with other titles of the United States Code.

In subsection (a)(2), the words “between those places” are substituted for “being provided by such air carrier under such certificate” to eliminate unnecessary words.

In subsection (b), the words “by regulation or otherwise” are omitted as surplus. The words “when the Secretary finds the suspension is in” are substituted for “as may be” for clarity and consistency.

PUB. L. 104-287

This amends 49:41312(a)(1) to conform to the style of title 49.

**Editorial Notes**

AMENDMENTS

1996—Subsec. (a)(1). Pub. L. 104-287 substituted “Secretary of Transportation” for “Secretary”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective July 5, 1994, see section 9 of Pub. L. 103-429, set out as an Effective Date of 1994 Amendment note under section 321 of this title.

**§ 41313. Plans to address needs of families of passengers involved in foreign air carrier accidents**

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

(1) AIRCRAFT ACCIDENT.—The term “aircraft accident” means any aviation disaster, regardless of its cause or suspected cause, that occurs within the United States; and

(2) PASSENGER.—The term “passenger” has the meaning given such term by section 1136.

(b) SUBMISSION OF PLANS.—A foreign air carrier providing foreign air transportation under this chapter shall transmit to the Secretary of Transportation and the Chairman of the National Transportation Safety Board a plan for