

- (III) the wheels-on time at the scheduled arrival airport; and
 - (IV) the gate-arrival time at the scheduled arrival airport.
- (B) For flights cancelled after gate departure—
- (i) the flight number of the cancelled flight;
 - (ii) the scheduled origin and destination airports of the cancelled flight;
 - (iii) the date and time of the cancelled flight;
 - (iv) the gate-departure time of the cancelled flight; and
 - (v) the time the aircraft returned to the gate.

(4) PUBLICATION.—The Secretary shall compile the information provided in the monthly reports filed pursuant to paragraph (1) in a single monthly report and publish such report on the Internet Web site of the Department of Transportation.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1141; Pub. L. 112–95, title IV, §402(a), Feb. 14, 2012, 126 Stat. 83.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
41708(a)	49 App.:1377(e) (last sentence). 49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85–726, §407(e) (last sentence), 72 Stat. 766. 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.
41708(b)	49 App.:1377(a). 49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85–726, §407(a), 72 Stat. 766; Feb. 15, 1980, Pub. L. 96–192, §10, 94 Stat. 38.

In subsection (a), the word “reasonably” is omitted as surplus. The words “carry out” are substituted for “administration” for consistency in the revised title. The words “section 11343(c) of this title” are substituted for “section 5(8) of the Interstate Commerce Act, as amended” in section 407(e) of the Federal Aviation Act of 1958 (Public Law 85–726, 72 Stat. 766), to cite the corresponding section of the revised title and correct the inaccurate reference to the definition of “affiliate”.

In subsection (b)(3), the word “copy” is substituted for “true copy” to eliminate an unnecessary word. The word “transportation” is substituted for “traffic” for consistency in the revised title.

Editorial Notes

AMENDMENTS

2012—Subsec. (c). Pub. L. 112–95 added subsec. (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2012 AMENDMENT

Pub. L. 112–95, title IV, §402(b), Feb. 14, 2012, 126 Stat. 84, provided that: “Beginning not later than 90 days after the date of enactment of this Act [Feb. 14, 2012], the Secretary of Transportation shall require monthly reports pursuant to the amendment made by subsection (a) [amending this section].”

§ 41709. Records of air carriers

(a) REQUIREMENTS.—The Secretary of Transportation shall prescribe the form of records to

be kept by an air carrier, including records on the movement of traffic, receipts and expenditures of money, and the time period during which the records shall be kept. A carrier may keep only records prescribed or approved by the Secretary. However, a carrier may keep additional records if the additional records do not impair the integrity of the records prescribed or approved by the Secretary and are not an unreasonable financial burden on the carrier.

(b) INSPECTION.—(1) The Secretary at any time may—

(A) inspect the land, buildings, and equipment of an air carrier or foreign air carrier when necessary to decide under subchapter II of this chapter or section 41102, 41103, or 41302 of this title whether a carrier is fit, willing, and able; and

(B) inspect records kept or required to be kept by an air carrier, foreign air carrier, or ticket agent.

(2) The Secretary may employ special agents or auditors to carry out this subsection.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1142.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
41709(a)	49 App.:1377(d). 49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85–726, §407(d), 72 Stat. 766. 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.
41709(b)	49 App.:1377(e) (1st–3d sentences). 49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85–726, §407(e) (1st–3d sentences), 72 Stat. 766; Jan. 3, 1975, Pub. L. 93–623, §7(b), 88 Stat. 2105; restated Oct. 4, 1984, Pub. L. 98–443, §9(t), 98 Stat. 1708.

In subsection (a), the word “unreasonable” is substituted for “undue” for consistency in the revised title and with other titles of the United States Code.

In subsection (b)(1)(A) and (B), the word “inspect” is substituted for “have access to” for consistency in the revised title and with other titles of the Code.

In subsection (b)(2), the words “to carry out this subsection” are substituted for “who shall have authority under the orders of the Board to inspect and examine lands, buildings, equipment, accounts, records, and memorandums to which the Board has access under this subsection” to eliminate unnecessary words.

§ 41710. Time requirements

When a matter requiring action of the Secretary of Transportation is submitted under section 40109(a) or (c)–(h), 41309, or 42111 of this title and an evidentiary hearing—

(1) is ordered, the Secretary shall make a final decision on the matter not later than the last day of the 12th month that begins after the date the matter is submitted; or

(2) is not ordered, the Secretary shall make a final decision on the matter not later than the last day of the 6th month that begins after the date the matter is submitted.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1142.)