

Editorial Notes

AMENDMENTS

2024—Subsec. (e). Pub. L. 118–63 added subsec. (e).

Statutory Notes and Related Subsidiaries

REGULATIONS

Pub. L. 118–63, title VIII, §812(b), May 16, 2024, 138 Stat. 1327, provided that: “Not later than 36 months after the date of enactment of this Act [May 16, 2024], the Administrator [of the Federal Aviation Administration] shall issue a final rule, if necessary, and update all applicable guidance and policies to reflect the amendment made by this section [amending this section].”

IMPLEMENTATION OF ANTI-TERRORIST AND NARCOTIC AIR EVENTS PROGRAMS

Pub. L. 118–63, title II, §231(a), May 16, 2024, 138 Stat. 1065, provided that:

“(1) PRIORITY RECOMMENDATIONS.—Not later than 180 days after the date of enactment of this section [May 16, 2024], the Administrator [of the Federal Aviation Administration] shall—

“(A) implement recommendations 6, 13, 14, and 15 as set forth in the Government Accountability Office report entitled ‘Aviation: FAA Needs to Better Prevent, Detect, and Respond to Fraud and Abuse Risks in Aircraft Registration,’ (dated March 25, 2020); and

“(B) to the extent that rulemaking is necessary to implement such recommendations, issue a notice of proposed rulemaking pursuant to the rulemaking authority of the FAA [Federal Aviation Administration].

“(2) REMAINING RECOMMENDATIONS.—The Administrator shall implement recommendations 1 through 5 and 8 through 12 as set forth in the Government Accountability Office report described in paragraph (1) and, to the extent that rulemaking is necessary to implement such recommendations, issue a notice of proposed rulemaking pursuant to the rulemaking authority of the FAA, on the earlier of—

“(A) the date that is 90 days after the date on which the FAA implements the Civil Aviation Registry Electronic Services system; or

“(B) January 1, 2026.”

DEADLINE TO ELIMINATE AIRCRAFT REGISTRATION BACKLOG

Pub. L. 118–63, title VIII, §817, May 16, 2024, 138 Stat. 1328, provided that: “Not later than 180 days after the date of enactment of this Act [May 16, 2024], the Administrator [of the Federal Aviation Administration] shall take such actions as may be necessary to reduce and maintain the aircraft registration and recordation backlog at the Civil Aviation Registry so that, on average, applications are processed not later than 10 business days after receipt.”

AIRCRAFT REGISTRATION

Pub. L. 115–254, div. B, title V, §556, Oct. 5, 2018, 132 Stat. 3383, provided that:

“(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [Oct. 5, 2018], the Administrator [of the Federal Aviation Administration] shall initiate a rulemaking to increase the duration of aircraft registrations for noncommercial general aviation aircraft to 7 years.

“(b) CONSIDERATIONS.—In promulgating the notice of proposed rulemaking described in subsection (a), the Administrator may consider any events, circumstances, changes in any ownership entity or structure, or other condition that would necessitate renewal prior to the expiration of an aircraft registration.”

RIGHT TO PRIVACY WHEN USING AIR TRAFFIC CONTROL SYSTEM

Pub. L. 115–254, div. B, title V, §566, Oct. 5, 2018, 132 Stat. 3385, which provided for blocking the registration

number of certain private aircraft from public dissemination upon request by the owner or operator, was repealed by Pub. L. 118–63, title VIII, §803(c), May 16, 2024, 138 Stat. 1322. See section 44114 of this title.

AIRCRAFT SITUATIONAL DISPLAY DATA

Pub. L. 106–181, title VII, §729, Apr. 5, 2000, 114 Stat. 168, provided that:

“(a) IN GENERAL.—A memorandum of agreement between the Administrator [of the Federal Aviation Administration] and any person that directly obtains aircraft situational display data from the Federal Aviation Administration shall require that—

“(1) the person demonstrate to the satisfaction of the Administrator that the person is capable of selectively blocking the display of any aircraft-situation-display-to-industry derived data related to any identified aircraft registration number; and

“(2) the person agree to block selectively the aircraft registration numbers of any aircraft owner or operator upon the Administration’s request.

“(b) EXISTING MEMORANDA TO BE CONFORMED.—Not later than 30 days after the date of the enactment of this Act [Apr. 5, 2000], the Administrator shall conform any memoranda of agreement, in effect on such date of enactment, between the Federal Aviation Administration and a person under which that person obtains aircraft situational display data to incorporate the requirements of subsection (a).”

§ 44104. Registration of aircraft components and dealers’ certificates of registration

The Administrator of the Federal Aviation Administration may prescribe regulations—

(1) in the interest of safety for registering and identifying an aircraft engine, propeller, or appliance; and

(2) in the public interest for issuing, suspending, and revoking a dealer’s certificate of registration under this chapter and for its use by a person manufacturing, distributing, or selling aircraft.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1162.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44104(1)	49 App.:1402. 49 App.:1655(c)(1).	Aug. 23, 1958, Pub. L. 85–726, §§502, 505 (1st sentence), 72 Stat. 772, 774. Oct. 15, 1966, Pub. L. 89–670, §6(c)(1), 80 Stat. 938; Jan. 12, 1983, Pub. L. 97–449, §7(b), 96 Stat. 2444.
44104(2)	49 App.:1405 (1st sentence). 49 App.:1655(c)(1).	

In this section, before clause (1), the words “prescribe regulations” are substituted for “establish reasonable rules and regulations” in 49 App.:1402 and “by such reasonable regulations” in 49 App.:1405 (1st sentence) because of 49:322(a). In clause (1), the words “and no aircraft engine, propeller, or appliance shall be used in violation of any such rule or regulation” are omitted as surplus because of section 46301 of the revised title. In clause (2), the words “in connection with” are omitted as surplus.

§ 44105. Suspension and revocation of aircraft certificates

The Administrator of the Federal Aviation Administration may suspend or revoke a certificate of registration issued under section 44103 of this title when the aircraft no longer meets the requirements of section 44102 of this title.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1163.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44105	49 App.:1401(e)(1). 49 App.:1655(c)(1).	Aug. 23, 1958, Pub. L. 85-726, §501(e)(1), 72 Stat. 772; Oct. 19, 1984, Pub. L. 98-499, §4(a), 98 Stat. 2314. Oct. 15, 1966, Pub. L. 89-670, §6(c)(1), 80 Stat. 938; Jan. 12, 1983, Pub. L. 97-449, §7(b), 96 Stat. 2444.

The words “when the aircraft no longer meets” are substituted for “for any cause which renders the aircraft ineligible” for consistency.

§ 44106. Revocation of aircraft certificates for controlled substance violations

(a) DEFINITION.—In this section, “controlled substance” has the same meaning given that term in section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802).

(b) REVOCATIONS.—(1) The Administrator of the Federal Aviation Administration shall issue an order revoking the certificate of registration for an aircraft issued to an owner under section 44103 of this title and any other certificate of registration that the owner of the aircraft holds under section 44103, if the Administrator finds that—

- (A) the aircraft was used to carry out, or facilitate, an activity that is punishable by death or imprisonment for more than one year under a law of the United States or a State related to a controlled substance (except a law related to simple possession of a controlled substance); and
- (B) the owner of the aircraft permitted the use of the aircraft knowing that the aircraft was to be used for the activity described in clause (A) of this paragraph.

(2) An aircraft owner that is not an individual is deemed to have permitted the use of the aircraft knowing that the aircraft was to be used for the activity described in paragraph (1)(A) of this subsection only if a majority of the individuals who control the owner of the aircraft or who are involved in forming the major policy of the owner permitted the use of the aircraft knowing that the aircraft was to be used for the activity described in paragraph (1)(A).

(c) ADVICE TO HOLDERS AND OPPORTUNITY TO ANSWER.—Before the Administrator revokes a certificate under subsection (b) of this section, the Administrator shall—

- (1) advise the holder of the certificate of the charges or reasons on which the Administrator bases the proposed action; and
- (2) provide the holder of the certificate an opportunity to answer the charges and state why the certificate should not be revoked.

(d) APPEALS.—(1) A person whose certificate is revoked by the Administrator under subsection (b) of this section may appeal the revocation order to the National Transportation Safety Board. The Board shall affirm or reverse the order after providing notice and a hearing on the record. In conducting the hearing, the Board

is not bound by the findings of fact of the Administrator.

(2) When a person files an appeal with the Board under this subsection, the order of the Administrator revoking the certificate is stayed. However, if the Administrator advises the Board that safety in air transportation or air commerce requires the immediate effectiveness of the order—

- (A) the order remains effective; and
- (B) the Board shall dispose of the appeal not later than 60 days after notification by the Administrator under this paragraph.

(3) A person substantially affected by an order of the Board under this subsection may seek judicial review of the order under section 46110 of this title. The Administrator shall be made a party to that judicial proceeding.

(e) ACQUITTAL.—(1) The Administrator may not revoke, and the Board may not affirm a revocation of, a certificate of registration under this section on the basis of an activity described in subsection (b)(1)(A) of this section if the holder of the certificate is acquitted of all charges related to a controlled substance in an indictment or information arising from the activity.

(2) If the Administrator has revoked a certificate of registration of a person under this section because of an activity described in subsection (b)(1)(A) of this section, the Administrator shall reissue a certificate to the person if the person—

- (A) subsequently is acquitted of all charges related to a controlled substance in an indictment or information arising from the activity; and
- (B) otherwise meets the requirements of section 44102 of this title.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1163.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44106(a)	49 App.:1401(e)(2)(C).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §501(e)(2)(A)-(C), (F); added Oct. 19, 1984, Pub. L. 98-499, §4(a), 98 Stat. 2314, 2315.
44106(b)	49 App.:1401(e)(2)(A) (less last sentence).	
44106(c)	49 App.:1401(e)(2)(B) (1st sentence).	
44106(d)	49 App.:1401(e)(2)(B) (2d-last sentences).	
44106(e)	49 App.:1401(e)(2)(A) (last sentence), (F).	

In subsection (b)(2), the words “knowing that the aircraft was to be used for the activity described in paragraph (1)(A) of this subsection” are substituted for “with knowledge of such intended use” for clarity.

§ 44107. Recordation of conveyances, leases, and security instruments

(a) ESTABLISHMENT OF SYSTEM.—The Administrator of the Federal Aviation Administration shall establish a system for recording—

- (1) conveyances that affect an interest in civil aircraft of the United States;
- (2) leases and instruments executed for security purposes, including conditional sales con-