

sure that the ELT is mounted and retained in accordance with the manufacturer's specifications.

“(b) MOUNTING AND RETENTION.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act [Feb. 14, 2012], the Administrator shall determine if the ELT mounting requirements and retention tests specified by Technical Standard Orders C91a and C126 are adequate to assess retention capabilities in ELT designs.

“(2) REVISION.—Based on the determination under paragraph (1), the Administrator shall make any necessary revisions to the requirements and retention tests referred to in paragraph (1) to ensure that ELTs are properly retained in the event of an aircraft accident.

“(c) REPORT.—Upon the completion of any revisions under subsection (b)(2), the Administrator shall submit a report on the implementation of this section to—

“(1) the Committee on Commerce, Science, and Transportation of the Senate; and

“(2) the Committee on Transportation and Infrastructure of the House of Representatives.”

§ 44713. Inspection and maintenance

(a) GENERAL EQUIPMENT REQUIREMENTS.—An air carrier shall make, or cause to be made, any inspection, repair, or maintenance of equipment used in air transportation as required by this part or regulations prescribed or orders issued by the Administrator of the Federal Aviation Administration under this part. A person operating, inspecting, repairing, or maintaining the equipment shall comply with those requirements, regulations, and orders.

(b) DUTIES OF INSPECTORS.—The Administrator of the Federal Aviation Administration shall employ inspectors who shall—

(1) inspect aircraft, aircraft engines, propellers, and appliances designed for use in air transportation, during manufacture and when in use by an air carrier in air transportation, to enable the Administrator to decide whether the aircraft, aircraft engines, propellers, or appliances are in safe condition and maintained properly; and

(2) advise and cooperate with the air carrier during that inspection and maintenance.

(c) UNSAFE AIRCRAFT, ENGINES, PROPELLERS, AND APPLIANCES.—When an inspector decides that an aircraft, aircraft engine, propeller, or appliance is not in condition for safe operation, the inspector shall notify the air carrier in the form and way prescribed by the Administrator of the Federal Aviation Administration. For 5 days after the carrier is notified, the aircraft, engine, propeller, or appliance may not be used in air transportation or in a way that endangers air transportation unless the Administrator or the inspector decides the aircraft, engine, propeller, or appliance is in condition for safe operation.

(d) MODIFICATIONS IN SYSTEM.—(1) The Administrator of the Federal Aviation Administration shall make modifications in the system for processing forms for major repairs or alterations to fuel tanks and fuel systems of aircraft not used to provide air transportation that are necessary to make the system more effective in serving the needs of users of the system, including officials responsible for enforcing laws related to the regulation of controlled substances (as defined in section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21

U.S.C. 802)). The modifications shall address at least each of the following deficiencies in, and abuses of, the existing system:

(A) the lack of a special identification feature to allow the forms to be distinguished easily from other major repair and alteration forms.

(B) the excessive period of time required to receive the forms at the Airmen and Aircraft Registry of the Administration.

(C) the backlog of forms waiting for processing at the Registry.

(D) the lack of ready access by law enforcement officials to information contained on the forms.

(2) The Administrator of the Federal Aviation Administration shall prescribe regulations to carry out paragraph (1) of this subsection and provide a written explanation of how the regulations address each of the deficiencies and abuses described in paragraph (1). In prescribing the regulations, the Administrator of the Federal Aviation Administration shall consult with the Administrator of Drug Enforcement, the Commissioner of U.S. Customs and Border Protection, other law enforcement officials of the United States Government, representatives of State and local law enforcement officials, representatives of the general aviation aircraft industry, representatives of users of general aviation aircraft, and other interested persons.

(e) AUTOMATED SURVEILLANCE TARGETING SYSTEMS.—

(1) IN GENERAL.—The Administrator shall give high priority to developing and deploying a fully enhanced safety performance analysis system that includes automated surveillance to assist the Administrator in prioritizing and targeting surveillance and inspection activities of the Federal Aviation Administration.

(2) DEADLINES FOR DEPLOYMENT.—

(A) INITIAL PHASE.—The initial phase of the operational deployment of the system developed under this subsection shall begin not later than December 31, 1997.

(B) FINAL PHASE.—The final phase of field deployment of the system developed under this subsection shall begin not later than December 31, 1999. By that date, all principal operations and maintenance inspectors of the Administration, and appropriate supervisors and analysts of the Administration shall have been provided access to the necessary information and resources to carry out the system.

(3) INTEGRATION OF INFORMATION.—In developing the system under this section, the Administration shall consider the near-term integration of accident and incident data into the safety performance analysis system under this subsection.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1194; Pub. L. 104–264, title IV, § 407(b), Oct. 9, 1996, 110 Stat. 3258; Pub. L. 114–125, title VIII, § 802(d)(2), Feb. 24, 2016, 130 Stat. 210.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44713(a)	49 App.:1425(a).	Aug. 23, 1958, Pub. L. 85–726, § 605(a), (b), 72 Stat. 778.

HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
	49 App.:1655(c)(1).	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.
44713(b)	49 App.:1425(b) (1st sentence).	
44713(c)	49 App.:1655(c)(1). 49 App.:1425(b) (last sentence).	
44713(d)(1) ..	49 App.:1655(c)(1). 49 App.:1303 (note). 49 App.:1425(c).	Nov. 18, 1988, Pub. L. 100-690, § 7214, 102 Stat. 4434. Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, § 605(c); added Nov. 18, 1988, Pub. L. 100-690, § 7206(a), 102 Stat. 4426.
44713(d)(2) ..	49 App.:1401 (note).	Nov. 18, 1988, Pub. L. 100-690, § 7207(a) (1st sentence), (b), 102 Stat. 4427.

In subsections (a)–(c), the word “Administrator” in section 605(a) and (b) of the Federal Aviation Act of 1958 (Public Law 85-726, 72 Stat. 778) is retained on authority of 49:106(g).

In subsection (a), the word “overhaul” is omitted as being included in “repair”. The word “prescribed” is added for consistency in the revised title and with other titles of the United States Code. The words “A person operating, inspecting, overhauling, or maintaining the equipment shall comply with those requirements, regulations, and orders” are substituted for 49 App.:1425(a) (last sentence) to eliminate unnecessary words.

In subsection (b), before clause (1), the words “be charged with the duty . . . of” are omitted as surplus. In clause (1), the words “in use” are substituted for “used by an air carrier in air transportation” to eliminate unnecessary words. The words “as may be necessary” and “for operation in air transportation” are omitted as surplus.

In subsection (c), the words “in the performance of his duty”, “used or intended to be used by any air carrier in air transportation”, and “a period of” are omitted as surplus.

In subsection (d)(1), before clause (A), the words “not used to provide air transportation” are substituted for section 7214 of the Anti-Drug Abuse Act of 1988 (Public Law 100-690, 102 Stat. 4434) because of the restatement.

In subsection (d)(2), the words “Not later than September 18, 1989” and “final” are omitted as obsolete. The words “Administrator of Drug Enforcement” are substituted for “Drug Enforcement Administration of the Department of Justice” because of section 5(a) of Reorganization Plan No. 2 of 1973 (eff. July 1, 1973, 87 Stat. 1092). The words “Commissioner of Customs” are substituted for “United States Customs Service” because of 19:2071.

Editorial Notes

AMENDMENTS

1996—Subsec. (e). Pub. L. 104-264 added subsec. (e).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Commissioner of U.S. Customs and Border Protection” substituted for “Commissioner of Customs” in subsec. (d)(2) on authority of section 802(d)(2) of Pub. L. 114-125, set out as a note under section 211 of Title 6, Domestic Security.

EFFECTIVE DATE OF 1996 AMENDMENT

Except as otherwise specifically provided, amendment by Pub. L. 104-264 applicable only to fiscal years beginning after Sept. 30, 1996, and not to be construed as affecting funds made available for a fiscal year ending before Oct. 1, 1996, see section 3 of Pub. L. 104-264, set out as a note under section 106 of this title.

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6. For establishment of U.S. Customs and Border Protection in the Department of Homeland Security, treated as if included in Pub. L. 107-296 as of Nov. 25, 2002, see section 211 of Title 6, as amended generally by Pub. L. 114-125, and section 802(b) of Pub. L. 114-125, set out as a note under section 211 of Title 6.

MAINTENANCE PROVIDERS

Pub. L. 112-95, title III, § 319, Feb. 14, 2012, 126 Stat. 69, provided that:

“(a) REGULATIONS.—Not later than 3 years after the date of enactment of this Act [Feb. 14, 2012], the Administrator of the Federal Aviation Administration shall issue regulations requiring that covered work on an aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations, be performed by persons in accordance with subsection (b).

“(b) PERSONS AUTHORIZED TO PERFORM CERTAIN WORK.—A person may perform covered work on aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations, only if the person is employed by—

- “(1) a part 121 air carrier;
- “(2) a part 145 repair station or a person authorized under section 43.17 of title 14, Code of Federal Regulations (or any successor regulation); or
- “(3) subject to subsection (c), a person that—
 - “(A) provides contract maintenance workers, services, or maintenance functions to a part 121 air carrier or part 145 repair station; and
 - “(B) meets the requirements of the part 121 air carrier or the part 145 repair station, as appropriate.

“(c) TERMS AND CONDITIONS.—Covered work performed by a person who is employed by a person described in subsection (b)(3) shall be subject to the following terms and conditions:

- “(1) The applicable part 121 air carrier shall be directly in charge of the covered work being performed.
- “(2) The covered work shall be carried out in accordance with the part 121 air carrier’s maintenance manual.
- “(3) The person shall carry out the covered work under the supervision and control of the part 121 air carrier directly in charge of the covered work being performed on its aircraft.

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

- “(1) COVERED WORK.—The term ‘covered work’ means any of the following:
 - “(A) Essential maintenance that could result in a failure, malfunction, or defect endangering the safe operation of an aircraft if not performed properly or if improper parts or materials are used.
 - “(B) Regularly scheduled maintenance.
 - “(C) A required inspection item (as defined by the Administrator).

“(2) PART 121 AIR CARRIER.—The term ‘part 121 air carrier’ means an air carrier that holds a certificate issued under part 121 of title 14, Code of Federal Regulations.

“(3) PART 145 REPAIR STATION.—The term ‘part 145 repair station’ means a repair station that holds a certificate issued under part 145 of title 14, Code of Federal Regulations.

“(4) PERSON.—The term ‘person’ means an individual, firm, partnership, corporation, company, or association that performs maintenance, preventative maintenance, or alterations.”

§ 44714. Aviation fuel standards

The Administrator of the Federal Aviation Administration shall prescribe—

- (1) standards for the composition or chemical or physical properties of an aircraft fuel or fuel additive to control or eliminate aircraft emissions the Administrator of the Environmental Protection Agency decides under section 231 of the Clean Air Act (42 U.S.C. 7571) endanger the public health or welfare; and
- (2) regulations providing for carrying out and enforcing those standards.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1195.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44714	49 App.:1421(e).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §601(e); added Dec. 31, 1970, Pub. L. 91-604, §11(b)(1), 84 Stat. 1705; Nov. 9, 1977, Pub. L. 95-163, §15(b)(1), 91 Stat. 1283.

In this section, before clause (1), the words “and from time to time revise” are omitted as surplus. In clause (1), the words “establishing” and “the purpose of” are omitted as surplus.

Statutory Notes and Related Subsidiaries

LOW LEAD AVIATION FUEL IN ALASKA

Pub. L. 118-63, title VII, §771(a), May 16, 2024, 138 Stat. 1296, provided that:

“(1) PROHIBITION ON RESTRICTION OF FUEL USAGE OR AVAILABILITY.—The Administrator of the Federal Aviation Administration and the Administrator of the Environmental Protection Agency shall not restrict the continued use or availability of 100-octane low lead aviation gasoline in the State of Alaska until the earlier of—

“(A) December 31, 2032; or

“(B) 6 months after the date on which the Administrator of the Federal Aviation Administration finds that an unleaded aviation fuel is widely commercially available at airports throughout the State of Alaska that—

“(i) has been authorized for use by the Administrator of the Federal Aviation Administration as a replacement for 100-octane low lead aviation gasoline; and

“(ii) meets either an industry consensus standard or other standard that facilitates and ensures the safe use, production, and distribution of such unleaded aviation fuel.

“(2) SAVINGS CLAUSE.—Nothing in this section shall limit the authority of the Administrator of the Federal Aviation Administration or the Administrator of the Environmental Protection Agency to address the endangerment to public health and welfare posed by lead emissions—

“(A) in the United States outside of the State of Alaska; or

“(B) within the State of Alaska after the date specified in paragraph (1).”

EAGLE INITIATIVE

Pub. L. 118-63, title VIII, §827, May 16, 2024, 138 Stat. 1333, provided that:

“(a) EAGLE INITIATIVE.—

“(1) IN GENERAL.—The Administrator [of the Federal Aviation Administration] shall continue to partner with industry and other Federal Government stakeholders in carrying out the Eliminate Aviation Gasoline Lead Emissions Initiative (in this section

referred to as the ‘EAGLE Initiative’) through the end of 2030.

“(2) FAA [FEDERAL AVIATION ADMINISTRATION] RESPONSIBILITIES.—In collaborating with industry and other Government stakeholders to carry out the EAGLE Initiative, the Administrator shall take such actions as may be necessary under the authority of the Administrator to facilitate—

“(A) the safe elimination of the use of leaded aviation gasoline by piston-engine aircraft by the end of 2030 without adversely affecting the safe and efficient operation of the piston-engine aircraft fleet;

“(B) the approval of the use of unleaded alternatives to leaded aviation gasoline for use in all piston-engine aircraft types and piston-engine models;

“(C) the implementation of the requirements of section 47107(a)(22) of title 49, United States Code, as added by this Act, as such requirements relate to the continued availability of aviation gasoline;

“(D) efforts to make unleaded aviation gasoline that is approved for use in piston-engine aircraft and engines widely available for purchase and use at airports in the National Plan of Integrated Airport Systems; and

“(E) the development of a transition plan to safely enable the transition of the piston-engine general aviation aircraft fleet to unleaded aviation gasoline by 2030, to the extent practicable.

“(3) ACTIVITIES.—In carrying out the responsibilities of the Administrator pursuant to paragraph (2), the Administrator shall, at a minimum—

“(A) maintain a fleet authorization process for the efficient approval or authorization of eligible piston-engine aircraft and engine models to operate safely using qualified unleaded aviation gasolines;

“(B) review, update, and prioritize, as soon as practicable, certification processes and projects, as necessary, for aircraft engines and modifications to such engines to operate with unleaded aviation gasoline;

“(C) seek to facilitate programs that accelerate the creation, evaluation, qualification, deployment, and use of unleaded aviation gasolines;

“(D) carry out, in partnership with the general aviation community, an ongoing campaign for training and educating aircraft owners and operators on how to safely transition to unleaded aviation gasoline;

“(E) evaluate aircraft and aircraft engines to ensure that such aircraft and aircraft engines can safely operate with unleaded aviation gasoline candidates during cold weather conditions; and

“(F) facilitate the development of agency policies and processes, as appropriate, to support the deployment of necessary infrastructure at airports to enable the distribution and storage of unleaded aviation gasolines.

“(4) CONSULTATION AND COLLABORATION WITH RELEVANT STAKEHOLDERS.—In carrying out the EAGLE Initiative, the Administrator shall continue to consult and collaborate, as appropriate, with relevant stakeholders, including—

“(A) general aviation aircraft engine, aircraft propulsion, and aircraft airframe manufacturers;

“(B) general aviation aircraft users, aircraft owners, aircraft pilots, and aircraft operators;

“(C) airports and fixed-base operators;

“(D) State, local, and Tribal aviation officials;

“(E) representatives of the petroleum industry, including developers, refiners, producers, and distributors of unleaded aviation gasolines; and

“(F) air carriers and commercial operators operating under part 135 of title 14, Code of Federal Regulations.

“(5) REPORT TO CONGRESS.—

“(A) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act [May 16, 2024], the Administrator shall submit to the appropriate com-