

(1) advise the holder of the certificate of the reason for the revocation; and

(2) provide the holder of the certificate an opportunity to be heard on why the certificate should not be revoked.

(d) **APPEAL.**—The provisions of section 44710(d) apply to the appeal of a revocation order under subsection (b). For the purpose of applying that section to the appeal, “person” shall be substituted for “individual” each place it appears.

(e) **ACQUITTAL OR REVERSAL.**—

(1) **IN GENERAL.**—The Administrator may not revoke, and the National Transportation Safety Board may not affirm a revocation of, a certificate under subsection (b)(1)(B) if the holder of the certificate or the individual referred to in subsection (b)(1) is acquitted of all charges directly related to the violation.

(2) **REISSUANCE.**—The Administrator may reissue a certificate revoked under subsection (b) of this section to the former holder if—

(A) the former holder otherwise satisfies the requirements of this chapter for the certificate; and

(B)(i) the former holder or the individual referred to in subsection (b)(1), is acquitted of all charges related to the violation on which the revocation was based; or

(ii) the conviction of the former holder or such individual of the violation on which the revocation was based is reversed.

(f) **WAIVER.**—The Administrator may waive revocation of a certificate under subsection (b) if—

(1) a law enforcement official of the United States Government requests a waiver; and

(2) the waiver will facilitate law enforcement efforts.

(g) **AMENDMENT OF CERTIFICATE.**—If the holder of a certificate issued under this chapter is other than an individual and the Administrator finds that—

(1) an individual who had a controlling or ownership interest in the holder committed a violation of a law for the violation of which a certificate may be revoked under this section or knowingly, and with intent to defraud, carried out or facilitated an activity punishable under such a law; and

(2) the holder satisfies the requirements for the certificate without regard to that individual,

then the Administrator may amend the certificate to impose a limitation that the certificate will not be valid if that individual has a controlling or ownership interest in the holder. A decision by the Administrator under this subsection is not reviewable by the Board.

(Added Pub. L. 106-181, title V, § 505(a)(1), Apr. 5, 2000, 114 Stat. 134; amended Pub. L. 108-176, title V, § 501, Dec. 12, 2003, 117 Stat. 2556.)

Editorial Notes

AMENDMENTS

2003—Subsec. (a)(1). Pub. L. 108-176 struck out “or” at end of subpar. (A), added subpar. (B), and redesignated former subpar. (B) as (C) and substituted “described in subparagraph (A) or (B)” for “convicted of such a violation”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-176 applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108-176, set out as a note under section 106 of this title.

EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

§ 44727. Runway safety areas

(a) **AIRPORTS IN ALASKA.**—An airport owner or operator in the State of Alaska shall not be required to reduce the length of a runway or declare the length of a runway to be less than the actual pavement length in order to meet standards of the Federal Aviation Administration applicable to runway safety areas.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Secretary shall conduct a study of runways at airports in States other than Alaska to determine which airports are affected by standards of the Federal Aviation Administration applicable to runway safety areas and to assess how operations at those airports would be affected if the owner or operator of the airport is required to reduce the length of a runway or declare the length of a runway to be less than the actual pavement length in order to meet such standards.

(2) **REPORT.**—Not later than 9 months after the date of enactment of this section, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the results of the study.

(Added Pub. L. 108-176, title V, § 502(a), Dec. 12, 2003, 117 Stat. 2557.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (b)(2), is the date of enactment of Pub. L. 108-176, which was approved Dec. 12, 2003.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108-176, set out as an Effective Date of 2003 Amendment note under section 106 of this title.

§ 44728. Flight attendant certification

(a) **CERTIFICATE REQUIRED.**—

(1) **IN GENERAL.**—No person may serve as a flight attendant aboard an aircraft of an air carrier unless that person holds a certificate of demonstrated proficiency from the Administrator of the Federal Aviation Administration. Upon the request of the Administrator or an authorized representative of the National Transportation Safety Board or another Federal agency, a person who holds such a certifi-