

(B) ADDITIONAL SEGMENTS.—The Secretary may identify and include additional segments of air traffic users under subparagraph (A) as revenue and air traffic services cost data become available for that additional segment of air traffic services users.

(4) DEFINITIONS.—For purposes of this subsection:

(A) AIR TRAFFIC SERVICES.—The term “air traffic services” means services—

- (i) used for the monitoring, directing, control, and guidance of aircraft or flows of aircraft and for the safe conduct of flight, including communications, navigation, and surveillance services and provision of aeronautical information; and
- (ii) provided directly, or contracted for, by the Federal Aviation Administration.

(B) AIR TRAFFIC SERVICES USER.—The term “air traffic services user” means any individual or entity using air traffic services provided directly, or contracted for, by the Federal Aviation Administration within United States airspace or international airspace delegated to the United States.

(Added Pub. L. 104-264, title II, §276(a)(2), Oct. 9, 1996, 110 Stat. 3247; amended Pub. L. 115-254, div. B, title V, §519, Oct. 5, 2018, 132 Stat. 3359; Pub. L. 118-63, title VI, §607, May 16, 2024, 138 Stat. 1225.)

Editorial Notes

REFERENCES IN TEXT

The Air Traffic Management System Performance Improvement Act of 1996, referred to in subsec. (f), is title II of Pub. L. 104-264, Oct. 9, 1996, 110 Stat. 3227. For complete classification of this Act to the Code, see Short Title of 1996 Amendment note set out under section 40101 of this title and Tables.

The date of enactment of the FAA Reauthorization Act of 2018, referred to in subsec. (g)(1)(A), is the date of enactment of Pub. L. 115-254, which was approved Oct. 5, 2018.

PRIOR PROVISIONS

A prior section 45303 was renumbered section 45304 of this title.

AMENDMENTS

2024—Subsec. (g)(2)(A). Pub. L. 118-63 substituted “14 years” for “8 years” in introductory provisions.

2018—Subsec. (g). Pub. L. 115-254 added subsec. (g).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on date that is 30 days after Oct. 9, 1996, see section 203 of Pub. L. 104-264, set out as an Effective Date of 1996 Amendment note under section 106 of this title.

Except as otherwise specifically provided, section 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 an Effective Date of 1996 Amendment note under section 106 of this title.

§ 45304. Maximum fees for private person services

The Administrator of the Federal Aviation Administration may establish maximum fees

that private persons may charge for services performed under a delegation to the person under section 44702(d) of this title.

(Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1225, § 45303; renumbered § 45304, Pub. L. 104-264, title II, § 276(a)(1), Oct. 9, 1996, 110 Stat. 3247.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
45303	49 App.:1355(a) (last sentence related to fees). 49 App.:1655(c)(1).	Aug. 23, 1958, Pub. L. 85-726, § 314(a) (last sentence related to fees), 72 Stat. 754. Oct. 15, 1966, Pub. L. 89-670, § 6(c)(1), 80 Stat. 938; Jan. 12, 1963, Pub. L. 97-449, § 7(b), 96 Stat. 2444.

In this section, the word “Administrator” in section 314(a) of the Federal Aviation Act of 1958 (Public Law 85-726, 72 Stat. 754) is retained on authority of 49:106(g). The words “services performed under a delegation to the person under section 44702(d) of this title” are substituted for “their services” because of the restatement.

§ 45305. Registration, certification, and related fees

(a) GENERAL AUTHORITY AND FEES.—Subject to subsection (c), the Administrator of the Federal Aviation Administration shall establish and collect a fee for each of the following services and activities of the Administration that does not exceed the estimated costs of the service or activity:

- (1) Registering an aircraft.
- (2) Reregistering, replacing, or renewing an aircraft registration certificate.
- (3) Issuing an original dealer’s aircraft registration certificate.
- (4) Issuing an additional dealer’s aircraft registration certificate (other than the original).
- (5) Issuing a special registration number.
- (6) Issuing a renewal of a special registration number reservation.
- (7) Recording a security interest in an aircraft or aircraft part.
- (8) Issuing an airman certificate.
- (9) Issuing a replacement airman certificate.
- (10) Issuing an airman medical certificate.
- (11) Providing a legal opinion pertaining to aircraft registration or recordation.

(b) CERTIFICATION SERVICES.—Subject to subsection (c), and notwithstanding section 45301(a), the Administrator may establish and collect a fee from a foreign government or entity for services related to certification, regardless of where the services are provided, if the fee—

- (1) is established and collected in a manner consistent with aviation safety agreements; and
- (2) does not exceed the estimated costs of the services.

(c) LIMITATION ON COLLECTION.—No fee may be collected under this section unless the expenditure of the fee to pay the costs of activities and services for which the fee is imposed is provided for in advance in an appropriations Act.

(d) FEES CREDITED AS OFFSETTING COLLECTIONS.—

- (1) IN GENERAL.—Notwithstanding section 3302 of title 31, any fee authorized to be collected under this section shall—