

1990, is eligible for a grant under section 47104 of this title and is eligible to impose a passenger facility charge under section 40117 of this title only if the restriction has been—

(1) agreed to by the airport proprietor and aircraft operators;

(2) approved by the Secretary as required by subsection (c)(1) of this section; or

(3) rescinded.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1288; Pub. L. 112–95, title I, §111(c)(2)(A)(vii), Feb. 14, 2012, 126 Stat. 18.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47524(a)	49 App.:2153(a)(1).	Nov. 5, 1990, Pub. L. 101–508, § 9304(a)(1)– (2)(C), (3)–(g), 104 Stat. 1388–379.
47524(b)	49 App.:2153(a)(2)(A), (c).	
47524(c)(1) ..	49 App.:2153(a)(2)(B), (b).	
47524(c)(2) ..	49 App.:2153(d).	
47524(c)(3) ..	49 App.:2153(a)(2)(D).	Nov. 5, 1990, Pub. L. 101–508, § 9304(a)(2)(D), 104 Stat. 1388–380; Oct. 31, 1992, Pub. L. 102–581, § 136(a), 106 Stat. 4889.
47524(c)(4) ..	49 App.:2153(f), (g).	
47524(d)	49 App.:2153(a)(2)(C).	
47524(e)	49 App.:2153(e).	

In subsection (a), the words “shall provide for establishing” are substituted for “shall require the establishment . . . of” as being more appropriate. The words “in accordance with the provisions of this section” are omitted as surplus.

In subsection (b), the words “proposed after October 1, 1990” are substituted for 49 App.:2153(a)(2)(A) to eliminate unnecessary words.

In subsection (c)(1), before clause (A), the words “not in effect on October 1, 1990” are substituted for 49 App.:2153(a)(2)(B) to eliminate unnecessary words. In clause (B), the words “direct or indirect” are omitted as surplus.

In subsection (c)(2)(A)–(D) and (F), the word “proposed” is omitted as surplus. In clause (D), the word “existing” is omitted as surplus.

In subsection (c)(4), the words “that justifies a reevaluation” are substituted for “and that a review and reevaluation . . . of the previously approved or agreed to noise restriction is therefore justified” to eliminate unnecessary words.

In subsection (d)(6), the words “calendar year” are omitted as surplus.

Editorial Notes

AMENDMENTS

2012—Subsec. (e). Pub. L. 112–95 substituted “charge” for “fee” in introductory provisions.

§ 47525. Decision about airport noise and access restrictions on certain stage 2 aircraft

The Secretary of Transportation shall conduct a study and decide on the application of section 47524(a)–(d) of this title to airport noise and access restrictions on the operation of stage 2 aircraft with a maximum weight of not more than 75,000 pounds. In making the decision, the Secretary shall consider—

(1) noise levels produced by those aircraft relative to other aircraft;

(2) the benefits to general aviation and the need for efficiency in the national air transportation system;

(3) the differences in the nature of operations at airports and the areas immediately surrounding the airports;

(4) international standards and agreements on aircraft noise; and

(5) other factors the Secretary considers necessary.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1291.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47525	49 App.:2154.	Nov. 5, 1990, Pub. L. 101–508, § 9305, 104 Stat. 1388–382.

In this section, before clause (1), the words “conduct a study and decide on” are substituted for “determine by a study” for clarity. The words “with a maximum weight of not more than” are substituted for “weighing less than” for consistency with sections 47528 and 47529 of the revised title.

§ 47526. Limitations for noncomplying airport noise and access restrictions

Unless the Secretary of Transportation is satisfied that an airport is not imposing an airport noise or access restriction not in compliance with this subchapter, the airport may not—

(1) receive money under subchapter I of chapter 471 of this title; or

(2) impose a passenger facility charge under section 40117 of this title.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1291; Pub. L. 112–95, title I, §111(c)(2)(A)(viii), Feb. 14, 2012, 126 Stat. 18.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47526	49 App.:2156.	Nov. 5, 1990, Pub. L. 101–508, § 9307, 104 Stat. 1388–382.

In this section, before clause (1), the words “Under no conditions” are omitted as surplus. In clause (2), the words “or collect” are omitted as surplus.

Editorial Notes

AMENDMENTS

2012—Par. (2). Pub. L. 112–95 substituted “charge” for “fee”.

§ 47527. Liability of the United States Government for noise damages

When a proposed airport noise or access restriction is disapproved under this subchapter, the United States Government shall assume liability for noise damages only to the extent that a taking has occurred as a direct result of the disapproval. The United States Court of Federal Claims has exclusive jurisdiction of a civil action under this section.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1291.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47527	49 App.:2155.	Nov. 5, 1990, Pub. L. 101–508, § 9306, 104 Stat. 1388–382.

The words “under this subchapter” are added for clarity. The words “has exclusive jurisdiction of a civil