

§ 50907. Monitoring activities

(a) GENERAL REQUIREMENTS.—A licensee under this chapter must allow the Secretary of Transportation to place an officer or employee of the United States Government or another individual as an observer at a launch site or reentry site the licensee uses, at a production facility or assembly site a contractor of the licensee uses to produce or assemble a launch vehicle or reentry vehicle, at a site not owned or operated by the Federal Government or a foreign government used for crew, government astronaut, or space flight participant training, or at a site at which a payload is integrated with a launch vehicle or reentry vehicle. The observer will monitor the activity of the licensee or contractor at the time and to the extent the Secretary considers reasonable to ensure compliance with the license or to carry out the duties of the Secretary under sections 50904(c), 50905, and 50906 of this title. A licensee must cooperate with an observer carrying out this subsection.

(b) CONTRACTS.—To the extent provided in advance in an appropriation law, the Secretary may make a contract with a person to carry out subsection (a) of this section.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1334, §70106 of title 49; Pub. L. 105–303, title I, §102(a)(7), Oct. 28, 1998, 112 Stat. 2848; Pub. L. 108–492, §2(c)(17), Dec. 23, 2004, 118 Stat. 3980; renumbered § 70106 then § 50907 of title 51 and amended Pub. L. 111–314, §4(d)(2), (3)(G), (5)(I), Dec. 18, 2010, 124 Stat. 3440–3442; Pub. L. 114–90, title I, §112(m), Nov. 25, 2015, 129 Stat. 713.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
70106(a)	49 App.:2613(a).	Oct. 30, 1984, Pub. L. 98–575, §14, 98 Stat. 3060.
70106(b)	49 App.:2613(b).	

In subsection (a), the word “duties” is substituted for “responsibilities” for consistency in the revised title and with other titles of the United States Code.

Editorial Notes

AMENDMENTS

2015—Subsec. (a). Pub. L. 114–90 substituted “at a site not owned or operated by the Federal Government or a foreign government used for crew, government astronaut, or space flight participant training” for “at a site used for crew or space flight participant training”.

2010—Pub. L. 111–314, §4(d)(2), (3)(G), successively renumbered section 70106 of title 49 and section 70106 of this title as this section.

Subsec. (a). Pub. L. 111–314, §4(d)(5)(I), substituted “sections 50904(c), 50905, and 50906” for “sections 70104(c), 70105, and 70105a”.

2004—Subsec. (a). Pub. L. 108–492 inserted “at a site used for crew or space flight participant training,” after “assemble a launch vehicle or reentry vehicle,” and substituted “sections 70104(c), 70105, and 70105a” for “section 70104(c)”.

1998—Subsec. (a). Pub. L. 105–303, in first sentence, inserted “or reentry site” after “observer at a launch site” and “or reentry vehicle” after “assemble a launch vehicle” and after “with a launch vehicle”.

§ 50908. Effective periods, and modifications, suspensions, and revocations, of licenses

(a) EFFECTIVE PERIODS OF LICENSES.—The Secretary of Transportation shall specify the period

for which a license issued or transferred under this chapter is in effect.

(b) MODIFICATIONS.—(1) On the initiative of the Secretary or on application of the licensee, the Secretary may modify a license issued or transferred under this chapter if the Secretary decides the modification will comply with this chapter.

(2) The Secretary shall modify a license issued or transferred under this chapter whenever a modification is needed for the license to be in conformity with a regulation that was issued pursuant to section 50905(c) after the issuance of the license. This paragraph shall not apply to permits.

(c) SUSPENSIONS AND REVOCATIONS.—The Secretary may suspend or revoke a license if the Secretary decides that—

(1) the licensee has not complied substantially with a requirement of this chapter or a regulation prescribed under this chapter; or

(2) the suspension or revocation is necessary to protect the public health and safety, the safety of property, or a national security or foreign policy interest of the United States.

(d) ADDITIONAL SUSPENSIONS.—(1) The Secretary may suspend a license when a previous launch or reentry under the license has resulted in a serious or fatal injury (as defined in 49 CFR 830, as in effect on November 10, 2004) to any human being and the Secretary has determined that continued operations under the license are likely to cause additional serious or fatal injury (as defined in 49 CFR 830, as in effect on November 10, 2004) to any human being.

(2) Any suspension imposed under this subsection shall be for as brief a period as possible and, in any event, shall cease when the Secretary—

(A) has determined that the licensee has taken sufficient steps to reduce the likelihood of a recurrence of the serious or fatal injury; or

(B) has modified the license pursuant to subsection (b) to sufficiently reduce the likelihood of a recurrence of the serious or fatal injury.

(3) This subsection shall not apply to permits.

(e) EFFECTIVE PERIODS OF MODIFICATIONS, SUSPENSIONS, AND REVOCATIONS.—Unless the Secretary specifies otherwise, a modification, suspension, or revocation under this section takes effect immediately and remains in effect during a review under section 50912 of this title.

(f) NOTIFICATION.—The Secretary shall notify the licensee in writing of the decision of the Secretary under this section and any action the Secretary takes or proposes to take based on the decision.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1334, §70107 of title 49; Pub. L. 108–492, §2(c)(18), (19), Dec. 23, 2004, 118 Stat. 3980; renumbered §70107 then §50908 of title 51 and amended Pub. L. 111–314, §4(d)(2), (3)(H), (5)(J), (K), Dec. 18, 2010, 124 Stat. 3440–3442; Pub. L. 114–90, title I, §112(m), Nov. 25, 2015, 129 Stat. 713.)