

derstand (i) the trafficking of controlled substances (as defined in section 102 of the Controlled Substances Act [21 U.S.C. 802]), and (ii) the role of such Administration with respect to such trafficking.

“(5) The progress made in improving and expanding such Administration’s role in the El Paso Intelligence Center.”

APPLICABILITY OF PAPERWORK REDUCTION ACT

Pub. L. 100-690, title VII, §7211(b), Nov. 18, 1988, 102 Stat. 4433, provided that: “No information collection requests necessary to carry out the objectives of this subtitle [subtitle E (§§7201-7214) of title VI of Pub. L. 100-690, see Tables for classification] (including the amendments made by this subtitle) shall be subject to or affect, directly or indirectly, the annual information collection budget goals established for the Federal Aviation Administration and the Department of Transportation under chapter 35 of title 44, United States Code.”

§ 44112. Limitation of liability

(a) DEFINITIONS.—In this section—

(1) “lessor” means a person leasing for at least 30 days a civil aircraft, aircraft engine, or propeller.

(2) “owner” means a person that owns a civil aircraft, aircraft engine, or propeller.

(3) “secured party” means a person having a security interest in, or security title to, a civil aircraft, aircraft engine, or propeller under a conditional sales contract, equipment trust contract, chattel or corporate mortgage, or similar instrument.

(b) LIABILITY.—A lessor, owner, or secured party is liable for personal injury, death, or property loss or damage only when a civil aircraft, aircraft engine, or propeller is in the actual possession or operational control of the lessor, owner, or secured party, and the personal injury, death, or property loss or damage occurs because of—

- (1) the aircraft, engine, or propeller; or
(2) the flight of, or an object falling from, the aircraft, engine, or propeller.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1167; Pub. L. 115-254, div. B, title V, §514, Oct. 5, 2018, 132 Stat. 3358.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 44112, 49 App.:1404, Aug. 23, 1958, Pub. L. 85-726, §504, 72 Stat. 774; restated July 8, 1959, Pub. L. 86-81, §2, 73 Stat. 180.

In subsection (a), clauses (1) and (3) are derived from 49 App.:1404 (2d-57th words). Clause (2) is added for clarity. In clause (1), the words “bona fide” are omitted as surplus. In clause (3), the word “nature” is omitted as surplus.

In subsection (b), before clause (1), the words “personal injury, death” are substituted for “any injury to or death of persons”, and the words “on land or water” are substituted for “on the surface of the earth (whether on land or water)”, to eliminate unnecessary words. In clause (2), the words “ascent, descent, or” and “dropping or” are omitted as surplus.

AMENDMENTS

2018—Subsec. (b). Pub. L. 115-254, in introductory provisions, struck out “on land or water” before “only when” and inserted “operational” before “control”.

§ 44113. Definitions

In this chapter, the following definitions apply:

(1) CAPE TOWN TREATY.—The term “Cape Town Treaty” means the Convention on International Interests in Mobile Equipment, as modified by the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment, signed at Rome on May 9, 2003.

(2) UNITED STATES ENTRY POINT.—The term “United States Entry Point” means the Federal Aviation Administration Civil Aviation Registry.

(3) INTERNATIONAL REGISTRY.—The term “International Registry” means the registry established under the Cape Town Treaty.

(Added Pub. L. 108-297, §6(a), Aug. 9, 2004, 118 Stat. 1097.)

EFFECTIVE DATE

Section effective Mar. 1, 2006, and not applicable to any registration or recordation that was made before such date under this chapter or any legal rights relating to such registration or recordation, see section 7 of Pub. L. 108-297, set out as an Effective Date of 2004 Amendment note under section 44101 of this title.

CHAPTER 443—INSURANCE

Table with 2 columns: Sec., Description. Rows include: 44301. Definitions; 44302. General authority; 44303. Coverage; 44304. Reinsurance; 44305. Insuring United States Government property; 44306. Premiums and limitations on coverage and claims; 44307. Revolving fund; 44308. Administrative; 44309. Civil actions; 44310. Ending effective date.

§ 44301. Definitions

In this chapter—

(1) “aircraft manufacturer” means any company or other business entity, the majority ownership and control of which is by United States citizens, that manufactures aircraft or aircraft engines.

(2) “American aircraft” means—
(A) a civil aircraft of the United States; and
(B) an aircraft owned or chartered by, or made available to—

- (i) the United States Government; or
(ii) a State, the District of Columbia, a territory or possession of the United States, or a political subdivision of the State, territory, or possession.

(3) “insurance carrier” means a person authorized to do aviation insurance business in a State, including a mutual or stock insurance company and a reciprocal insurance association.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1168; Pub. L. 108-176, title I, §106(a)(2), Dec. 12, 2003, 117 Stat. 2498.)