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TITLE 49--TRANSPORTATION
SUBTITLE VII--AVIATION PROGRAMS
PART A--AIR COMMERCE AND SAFETY
subpart ii--economic regulation
CHAPTER 413--FOREIGN AIR TRANSPORTATION

Sec. 41302. Permits of foreign air carriers

The Secretary of Transportation may issue a permit to a person (except a citizen of the United States) authorizing the person to provide foreign air transportation as a foreign air carrier if the Secretary finds that--

- (1) the person is fit, willing, and able to provide the foreign air transportation to be authorized by the permit and to comply with this part and regulations of the Secretary; and
- (2)(A) the person is qualified, and has been designated by the government of its country, to provide the foreign air transportation under an agreement with the United States Government; or
- (B) the foreign air transportation to be provided under the permit will be in the public interest.

(Pub. L. 103-272, Sec. 1(e), July 5, 1994, 108 Stat. 1126.)

Historical and Revision Notes

Revised Section Source (Statutes at Large)	Source (U.S. Code)	
41302..... 23, 1958, Pub. L. 85-726, Sec.	49 App.:1372(b).	Aug.
402(b), 72 Stat. 758; restated Feb.		15,
1980, Pub. L. 96-192, Sec. 7, 94		Stat.
38.		
23, 1958, Pub. L. 85-726, 72 Stat.	49 App.:1551(b)(1)(E).	Aug.
Sec. 1601(b)(1)(E); added Oct.		731,
1984, Pub. L. 98-443, Sec. 3(e),		4,
Stat. 1704.		98

In this section, before clause (1), the words ``person (except a citizen of the United States)'' and ``person'' are substituted for ``applicant'' for clarity and consistency because only a person other

than a United States citizen may be a ``foreign air carrier'' as defined in section 40102(a) of the revised title. In clauses (1) and (2), the word ``provide'' is substituted for ``perform'' for consistency in the revised title. In clause (1), the word ``properly'' is omitted as surplus. The word ``comply'' is substituted for ``conform'' for consistency in the revised title. The word ``rules'' is omitted as being synonymous with ``regulations''. The word ``requirements'' is omitted as surplus. In clause (2)(A), the words ``government of its country'' are substituted for ``its government'' for consistency in the revised title and with other titles of the United States Code.

Section Referred to in Other Sections

This section is referred to in sections 41303, 41304, 41305, 41306, 41307, 41310, 41313, 41703, 41709, 44901, 46316 of this title.