

§44702. Issuance of certificates

(a) General Authority and Applications.-The Administrator of the Federal Aviation Administration may issue airman certificates, design organization certificates, type certificates, production certificates, airworthiness certificates, air carrier operating certificates, airport operating certificates, air agency certificates, and air navigation facility certificates under this chapter. An application for a certificate must-

- (1) be under oath when the Administrator requires; and
- (2) be in the form, contain information, and be filed and served in the way the Administrator prescribes.

(b) Considerations.-When issuing a certificate under this chapter, the Administrator shall-

- (1) consider-
 - (A) the duty of an air carrier to provide service with the highest possible degree of safety in the public interest; and
 - (B) differences between air transportation and other air commerce; and

- (2) classify a certificate according to the differences between air transportation and other air commerce.

(c) Prior Certification.-The Administrator may authorize an aircraft, aircraft engine, propeller, or appliance for which a certificate has been issued authorizing the use of the aircraft, aircraft engine, propeller, or appliance in air transportation to be used in air commerce without another certificate being issued.

(d) Delegation.- (1) Subject to regulations, supervision, and review the Administrator may prescribe, the Administrator may delegate to a qualified private person, or to an employee under the supervision of that person, a matter related to-

- (A) the examination, testing, and inspection necessary to issue a certificate under this chapter; and
- (B) issuing the certificate.

(2) The Administrator may rescind a delegation under this subsection at any time for any reason the Administrator considers appropriate.

(3) A person affected by an action of a private person under this subsection may apply for reconsideration of the action by the Administrator. On the Administrator's own initiative, the Administrator may reconsider the action of a private person at any time. If the Administrator decides on reconsideration that the action is unreasonable or unwarranted, the Administrator shall change, modify, or reverse the action. If the Administrator decides the action is warranted, the Administrator shall affirm the action.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1186 ; Pub. L. 108–176, title II, §227(a), Dec. 12, 2003, 117 Stat. 2531 .)