

Congress, been specifically adopted, authorized, and directed as of the date those rules were originally issued.

“(3) FEES TO WHICH APPLICABLE.—This subsection applies to fees assessed after November 19, 2001, and before April 8, 2003, and fees collected after the requirements of subsection (b) have been met.

“(b) DEFERRED COLLECTION OF FEES.—The Administrator shall defer collecting fees under section 45301(a)(1) of title 49, United States Code, until the Administrator (1) reports to Congress responding to the issues raised by the court in *Air Transport Association of Canada v. Federal Aviation Administration and Administrator, FAA*, decided on April 8, 2003, and (2) consults with users and other interested parties regarding the consistency of the fees established under such section with the international obligations of the United States.

“(c) ENFORCEMENT.—The Administrator shall take an appropriate enforcement action under subtitle VII of title 49, United States Code, against any user that does not pay a fee under section 45301(a)(1) of such title.”

#### § 45302. Fees involving aircraft not providing air transportation

(a) APPLICATION.—This section applies only to aircraft not used to provide air transportation.

(b) GENERAL AUTHORITY AND MAXIMUM FEES.—The Administrator of the Federal Aviation Administration may impose fees to pay for the costs of issuing airman certificates to pilots and certificates of registration of aircraft and processing forms for major repairs and alterations of fuel tanks and fuel systems of aircraft. The following fees may not be more than the amounts specified:

- (1) \$12 for issuing an airman’s certificate to a pilot.
- (2) \$25 for registering an aircraft after the transfer of ownership.
- (3) \$15 for renewing an aircraft registration.
- (4) \$7.50 for processing a form for a major repair or alteration of a fuel tank or fuel system of an aircraft.

(c) ADJUSTMENTS.—The Administrator shall adjust the maximum fees established by subsection (b) of this section for changes in the Consumer Price Index of All Urban Consumers published by the Secretary of Labor.

(d) CREDIT TO ACCOUNT AND AVAILABILITY.—Money collected from fees imposed under this section shall be credited to the account in the Treasury from which the Administrator incurs expenses in carrying out chapter 441 and sections 44701–44716 of this title (except sections 44701(c), 44703(g)(2), and 44713(d)(2)). The money is available to the Administrator to pay expenses for which the fees are collected.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—A fee may not be imposed under this section before the date on which the regulations prescribed under sections 44111(d), 44703(g)(2), and 44713(d)(2) of this title take effect.

(2) EFFECT OF IMPOSITION OF OTHER FEES.—A fee may not be imposed for a service or activity under this section during any period in which a fee for the same service or activity is imposed under section 45305.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1225; Pub. L. 103–429, §6(59), Oct. 31, 1994, 108 Stat. 4385; Pub. L. 112–95, title I, §122(c), Feb. 14, 2012,

126 Stat. 20; Pub. L. 115–254, div. B, title V, §539(j), Oct. 5, 2018, 132 Stat. 3371.)

#### HISTORICAL AND REVISION NOTES PUB. L. 103–272

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
45302(a) .....	49 App.:1303 (note).	Nov. 18, 1988, Pub. L. 100–690, §7214, 102 Stat. 4434.
45302(b), (c)	49 App.:1354(f)(1)–(3).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §313(f); added Nov. 18, 1988, Pub. L. 100–690, §7207(c)(1), 102 Stat. 4427.
45302(d) .....	49 App.:1354(f)(4).	

In subsection (b), before clause (1), the text of 49 App.:1354(f)(3) is omitted as obsolete because the final regulations are effective. The word “impose” is substituted for “establish and collect” for consistency.

In subsection (d), the words “Money collected from fees imposed” are substituted for “The amount of fees collected” for clarity and consistency.

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This amends 49:45302 because the final regulations are not yet effective.

#### Editorial Notes

##### AMENDMENTS

2018—Subsecs. (d), (e)(1). Pub. L. 115–254 substituted “44703(g)(2)” for “44703(f)(2)”.

2012—Subsec. (e). Pub. L. 112–95 designated existing provisions as par. (1), inserted heading, and added par. (2).

1994—Subsec. (e). Pub. L. 103–429 added subsec. (e).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103–429 effective July 5, 1994, see section 9 of Pub. L. 103–429, set out as a note under section 321 of this title.

##### INSPECTOR GENERAL AUDIT

Pub. L. 100–690, title VII, §7207(c)(4), Nov. 18, 1988, 102 Stat. 4428, as amended by Pub. L. 104–66, title II, §2041, Dec. 21, 1995, 109 Stat. 728, provided that: “During the 5-year period beginning after the date on which fees are first collected under section 313(f) of the Federal Aviation Act of 1958 [see subsec. (b) of this section], the Department of Transportation Inspector General shall conduct an annual audit of the collection and use of such fees for the purpose of ensuring that such fees do not exceed the costs for which they are collected and submit to Congress a report on the results of such audit.”

[For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103–7 (in which the 30th item on page 4 identifies a reporting provision which, as subsequently amended, is contained in section 7207(c)(4) of Pub. L. 100–690, set out as a note above), see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.]

#### § 45303. Administrative provisions

(a) FEES PAYABLE TO ADMINISTRATOR.—All fees imposed and amounts collected under this chapter for services performed, or materials furnished, by the Federal Aviation Administration are payable to the Administrator of the Federal Aviation Administration.

(b) REFUNDS.—The Administrator may refund any fee paid by mistake or any amount paid in excess of that required.