

PART 49—RECORDING OF AIRCRAFT TITLES AND SECURITY DOCUMENTS

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AUTHORITY: 49 U.S.C. 106(g), 40113-40114, 44101-44108, 44110-44111, 44704, 44713, 45302, 46104, 46301; 4 U.S.T. 1830.

EFFECTIVE DATE NOTE: At 70 FR 246, Jan. 3, 2005, the authority citation for part 49 was revised, effective concurrent with the date the Cape Town Treaty enters into force with

respect to the United States. For the convenience of the user, the revised text is set forth as follows:

AUTHORITY: 4 U.S.T. 1830; Pub. L. 108-297, 118 Stat. 1095 (49 U.S.C. 40101 note, 49 U.S.C. 44101 note); 49 U.S.C. 106(g), 40113-40114, 44101-44108, 44110-44113, 44704, 44713, 45302, 46104, 46301.

SOURCE: Docket No. 1996, 29 FR 6486, May 19, 1964, unless otherwise noted.

Subpart A—Applicability

§ 49.1 Applicability.

(a) This part applies to the recording of certain conveyances affecting title to, or any interest in—

(1) Any aircraft registered under section 501 of the Federal Aviation Act of 1958 (49 U.S.C. 1401);

(2) Any specifically identified aircraft engine of 750 or more rated take-off horsepower, or the equivalent of that horsepower;

(3) Any specifically identified aircraft propeller able to absorb 750 or more rated takeoff shaft horsepower; and

(4) Any aircraft engine, propeller, or appliance maintained by or for an air carrier certificated under section 604(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1424(b)), for installation or use in an aircraft, aircraft engine, or propeller, or any spare part, maintained at a designated location or locations by or for such an air carrier.

(b) Subpart B of this part governs, where applicable by its terms, conveyances subject to this part.

EFFECTIVE DATE NOTE: At 70 FR 246, Jan. 3, 2005, § 49.1 was amended by revising paragraphs (a)(1) and (a)(4), effective concurrent with the date the Cape Town Treaty enters into force with respect to the United States. For the convenience of the user, the revised text is set forth as follows:

§ 49.1 Applicability.

(a) * * *

(1) Any aircraft registered under 49 U.S.C. 44101-44104;

* * * * *

(4) Any aircraft engine, propeller, or appliance maintained by or for an air carrier certificated under 49 U.S.C. 44705, for installation or use in an aircraft, aircraft engine, or propeller, or any spare part, maintained at a

designated location or locations by or for such an air carrier.

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Subpart B—General

§ 49.11 FAA Aircraft Registry.

To be eligible for recording, a conveyance must be mailed to the FAA Aircraft Registry, Department of Transportation, Post Office Box 25504, Oklahoma City, Oklahoma 73125, or delivered to the Registry at 6400 South MacArthur Boulevard, Oklahoma City, Oklahoma.

[Doc. No. 13890, 41 FR 34010, Aug. 12, 1976]

EFFECTIVE DATE NOTE: At 70 FR 246, Jan. 3, 2005, § 49.11 was revised, effective concurrent with the date the Cape Town Treaty enters into force with respect to the United States. For the convenience of the user, the revised text is set forth as follows:

§ 49.11 FAA Aircraft Registry.

To be eligible for recording, a conveyance must be mailed to the FAA Aircraft Registry, Department of Transportation, Post Office Box 25504, Oklahoma City, Oklahoma 73125-0504, or delivered to the Registry at 6425 S. Denning Ave., Oklahoma City, Oklahoma 73169.

§ 49.13 Signatures and acknowledgements.

(a) Each signature on a conveyance must be in ink.

(b) Paragraphs (b) through (f) of § 47.13 of this chapter apply to a conveyance made by, or on behalf of, one or more persons doing business under a trade name, or by an agent, corporation, partnership, coowner, or unincorporated association.

(c) No conveyance or other instrument need be acknowledged, as provided in section 503(e) of the Federal Aviation Act of 1958 (49 U.S.C. 1403(e)), in order to be recorded under this part. The law of the place of delivery of the conveyance determines when a conveyance or other instrument must be acknowledged in order to be valid for the purposes of that place.

(d) A power of attorney or other evidence of a person's authority to sign for another, submitted under this part, is valid for the purposes of this section, unless sooner revoked, until—

(1) Its expiration date stated therein; or

(2) If an expiration date is not stated thereon, for not more than 3 years after the date—

(i) It is signed; or

(ii) The grantor (a corporate officer or other person in a managerial position therein, where the grantor is a corporation) certifies in writing that the authority to sign shown by the power of attorney or other evidence is still in effect.

[Doc. No. 7190, 31 FR 4499, Mar. 17, 1966, as amended by Amdt. 49-2, 31 FR 15349, Dec. 8, 1966; Amdt. 49-6, 36 FR 8661, May 11, 1971]

EFFECTIVE DATE NOTE: At 70 FR 246, Jan. 3, 2005, § 49.13(c) was revised, effective concurrent with the date the Cape Town Treaty enters into force with respect to the United States. For the convenience of the user, the revised text is set forth as follows:

§ 49.13 Signatures and acknowledgements.

* * * * *

(c) No conveyance or other instrument need be acknowledged, as provided in 49 U.S.C. 44107(c), in order to be recorded under this part. The law of the place of delivery of the conveyance determines when a conveyance or other instrument must be acknowledged in order to be valid for the purposes of that place.

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§ 49.15 Fees for recording.

(a) The fees charged for recording conveyances under this part are as follows:

(1) Conveyance of aircraft—	
For each aircraft listed therein	\$5.00
(2) Conveyance, made for security purposes, of a specifically identified aircraft engine or propeller, or any assignment or amendment thereof, or supplement thereto, recorded under Subpart D—	
For each engine or propeller	5.00
(3) Conveyance, made for security purposes, of aircraft engines, propellers, appliances, or spare parts, maintained at a designated location or locations, or any assignment or amendment thereof, or supplement thereto, recorded under Subpart E—	
For the group of items at each location	5.00

(b) There is no fee for recording a bill of sale that accompanies an application for aircraft registration and the proper fee under Part 47 of this chapter.