

## Commercial Space Transportation, FAA, DOT

§ 415.1

30 days after issuance of decision or finding under § 414.37.

### § 414.41 Administrative law judge's recommended decision in safety approval actions.

(a) The Associate Administrator, who will make the final decision on the matter at issue, will review the recommended decision of the administrative law judge. The Associate Administrator will make such final decision within 30 days of issuance of the recommended decision.

(b) The authority and responsibility to review and decide rests solely with the Associate Administrator and may not be delegated.

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APPENDIX A TO PART 415—FAA/USSPACECOM LAUNCH NOTIFICATION FORM

APPENDIX B TO PART 415—SAFETY REVIEW DOCUMENT OUTLINE

AUTHORITY: 49 U.S.C. 70101–70121.

SOURCE: Amdt. 415-03, 64 FR 19616, Apr. 21, 1999, unless otherwise noted.

### Subpart A—General

#### § 415.1 Scope.

This part establishes requirements for obtaining a license to launch an expendable launch vehicle. Requirements for preparing a license application are contained in part 413 of this chapter. Post licensing requirements governing launch from a Federal launch range

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and a non-Federal launch site are contained in part 417 of this chapter.

[Doc. No. FAA-2000-7953, 71 FR 50531, Aug. 25, 2006]

#### §415.3 Types of launch licenses.

(a) *Launch-specific license.* A launch-specific license authorizes a licensee to conduct one or more launches, having the same launch parameters, of one type of launch vehicle from one launch site. The license identifies, by name or mission, each launch authorized under the license. A licensee's authorization to launch terminates upon completion of all launches authorized by the license or the expiration date stated in the license, whichever occurs first.

(b) *Launch operator license.* A launch operator license authorizes a licensee to conduct launches from one launch site, within a range of launch parameters, of launch vehicles from the same family of vehicles transporting specified classes of payloads. A launch operator license remains in effect for five years from the date of issuance.

#### §415.5 Policy and safety approvals.

To obtain a launch license, an applicant must obtain policy and safety approvals from the FAA. Requirements for obtaining these approvals are contained in subparts B, C and F of this part. Only a launch license applicant may apply for the approvals, and may apply for either approval separately and in advance of submitting a complete license application, using the application procedures contained in part 413 of this subchapter.

#### §415.7 Payload determination.

A payload determination is required for a launch license unless the proposed payload is exempt from payload review under §415.53 of this part. The FAA conducts a payload review, as described in subpart D of this part, to make the determination. Either a launch license applicant or a payload owner or operator may request a review of its proposed payload using the application procedures contained in part 413 of this subchapter. Upon receipt of an application, the FAA may conduct a payload review independently of a launch license application.

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#### §415.8 Human space flight.

To obtain a launch license, an applicant proposing to conduct a launch with flight crew or a space flight participant on board must demonstrate compliance with §§460.5, 460.7, 460.11, 460.13, 460.15, 460.17, 460.51 and 460.53 of this subchapter.

[Doc. No. FAA-2005-23449, 71 FR 75632, Dec. 15, 2006]

EFFECTIVE DATE NOTE: By Doc. No. FAA-2005-23449, 71 FR 75632, Dec. 15, 2006, §415.8 was added, effective Feb. 13, 2007.

#### §415.9 Issuance of a launch license.

(a) The FAA issues a launch license to an applicant who has obtained all approvals and determinations required under this chapter for a license.

(b) A launch license authorizes a licensee to conduct a launch or launches in accordance with the representations contained in the licensee's application, subject to the licensee's compliance with terms and conditions contained in license orders accompanying the license, including financial responsibility requirements, and part 417 of this chapter.

[Amdt. 415-03, 64 FR 19616, Apr. 21, 1999, as amended by Amdt. 415-4, 71 FR 50531, Aug. 25, 2006]

#### §415.11 Additional license terms and conditions.

The FAA may modify a launch license at any time by modifying or adding license terms and conditions to ensure compliance with the Act and regulations.

#### §415.13 Transfer of a launch license.

(a) Only the FAA may transfer a launch license.

(b) An applicant for transfer of a launch license shall submit a license application in accordance with part 413 of this subchapter and shall meet the requirements of part 415 of this subchapter. The FAA will transfer a license to an applicant who has obtained all of the approvals and determinations required under this chapter for a license. In conducting its reviews and issuing approvals and determinations, the FAA may incorporate by reference any findings made part of the record to