

to be duly executed by their respective duly authorized representatives as of the date written above.

LICENSEE

By: _____
Its: _____

CUSTOMER

By: _____
Its: _____

DEPARTMENT OF TRANSPORTATION

By: _____
Its: _____

[Doc. No. 28635, 63 FR 45619, Aug. 26, 1998; 63 FR 55175, Oct. 14, 1998]

EFFECTIVE DATE NOTE: By Doc. No. FAA-2005-23449, 71 FR 75632, Dec. 15, 2006, part 440 was revised, effective Feb. 13, 2007. For the convenience of the user, the revised text is set forth as follows:

PART 440—FINANCIAL RESPONSIBILITY

Subpart A—Financial Responsibility for Licensed and Permitted Activities

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AUTHORITY: 49 U.S.C. 70101-70119; 49 CFR 1.47.

Subpart A—Financial Responsibility for Licensed and Permitted Activities

§ 440.1 Scope of part.

This part establishes financial responsibility and allocation of risk requirements for any launch or reentry authorized by a license or permit issued under this subchapter.

§ 440.3 Definitions.

Except as otherwise provided in this section, any term used in this part and defined in 49 U.S.C. 70101-70121, or in § 401.5 of this chapter shall have the meaning contained therein. For purposes of this part—

Bodily injury means physical injury, sickness, disease, disability, shock, mental anguish, or mental injury sustained by any person, including death.

Contractors and subcontractors means those entities that are involved at any level, directly or indirectly, in licensed or permitted activities, and includes suppliers of property and services, and the component manufacturers of a launch vehicle, reentry vehicle, or payload.

Customer means.

(1) Any person:

(i) Who procures launch or reentry services from a licensee or permittee;

(ii) With rights in the payload (or any part of the payload) to be launched or reentered by the licensee or permittee, including a conditional sale, lease, assignment, or transfer of rights;

(iii) Who has placed property on board the payload for launch, reentry, or payload services; or

(iv) To whom the customer has transferred its rights to the launch or reentry services.

(2) A space flight participant, for the purposes of this part, is not a customer.

Federal range facility means a U.S. Government-owned installation at which a launch or reentry takes place.

Financial responsibility means capable of satisfying a liability obligation as required by 49 U.S.C. Subtitle IX, chapter 701.

Government personnel means employees of the United States, its agencies, and its contractors and subcontractors, involved in launch or reentry services for an activity authorized by an FAA license or permit. Employees of the United States include members of the Armed Forces of the United States.

Hazardous operations means activities, processes, and procedures that, because of