

Aviation Law

This subject has a CALI Topic Grid available on the CALI website to assist you in assigning lessons.

CALI Lessons:

Air Traffic Controllers

This Aviation lesson explores the liability of air traffic controllers when damage is caused under the direction of these federal employees.

Lesson Completion Time: 45 minutes

Author: Wendy Davis, Associate Professor, University of Massachusetts School of Law at Dartmouth

Aircraft Maintenance Mechanics; Qualifications and Liability

This lesson includes a discussion of the qualifications of aircraft mechanics and inspectors; and accidents and harm caused by a failure to adequately maintain aircraft.

Lesson Completion Time: 30 minutes

Author: Wendy Davis, Associate Professor, University of Massachusetts School of Law at Dartmouth

Airport Ownership and Rights

Airport categories can be split into two types, public-use and private use. At the same time airport ownership is broken into two categories as well, private ownership and public ownership. However, airport categories and ownership do not line up along the same lines - there exist privately owned, public use airports. This lesson seeks to distinguish between public and private ownership of airports as well as their powers available to each.

Please note that the opinions and views expressed in this lesson are solely those of the author.

Lesson Completion Time: 30-40 minutes

Author: Kelly Whealan George, Executive Director of Research Administration, Embry-Riddle Aeronautical University

Aviation Accident Investigation Compared to Civil Litigation

This lesson discusses the statutory basis for aviation accident investigations. The discussion centers around case studies of two aviation accident investigations. A comparison is drawn between federal statutes and regulations enabling aviation accident investigations and civil actions of the same cases. Specifically, why does the federal government investigate aviation accidents rather than states? What statutes guide accident investigations? What is the objective of accident investigations? What is the relationship, if any, of civil litigation and accident investigations?

The lesson contains a number of questions and exercises to help the student synthesize the content presented. The lesson was produced during the inaugural class of The Legal Environment of Aviation taught by Professor John Sabel, J.D., at Embry-Riddle Aeronautical University.

The lesson is an independent effort of the author and does not represent an official opinion of the National Transportation Safety Board.

SUGGESTED USES OF THIS LESSON Faculty can use this lesson to point out how administrative agencies function. The lesson also provides a background to legal details related to aviation and terminology thereof.

Lesson Completion Time: 1 hour

Author: William Tuccio, Ph.D. in Aviation, Embry-Riddle Aeronautical University

Aviation Law: Sources of Law and Jurisdiction

In the United States, federal laws extensively regulate aircraft, airlines, pilots, and airports. People and companies involved in aviation need to be familiar with these federal laws, as well as state and international regulations that affect aircraft and airlines. The Federal Aviation Administration, the National Transportation Safety Administration, and the Department of Transportation, as well as state laws and international treaties, all play a role in regulating aviation.

Lesson Completion Time: 45-60 minutes

Author: Wendy Davis, Associate Professor, University of Massachusetts School of Law at Dartmouth

FAA Pilot Certificate Enforcement Actions

This lesson covers the role of the Federal Aviation Administration (FAA) in enforcing the Federal Aviation Regulations (FAR), known formally as Title 14 Code of Federal Regulations (14 CFR). Title 14 CFR has numerous parts that are organized by category of operation; that is, categories include: pilots and instructors, aircraft operators, aircraft manufacturers, and space transportation.

Lesson Completion Time: 1 hour

Author: James Cistone, PhD Candidate, Embry-Riddle Aeronautical University

Federal Communications Commission Aviation Jurisdiction

The Federal Communications Commission (FCC) is not normally associated with aviation jurisdiction other than perhaps the issuance of radiotelephone station/operator licenses. However, the FCC is an independent Federal Agency which has been entitled by Congress to regulate and enforce a broad range of aviation matters. This lesson was created as a primer for the aviation law student or a refresher for the legal professional working in the aviation field. At the completion of this lesson the student should be knowledgeable of the scope and authority of FCC jurisdiction in aviation matters.

(Any interpretations or opinions presented in this lesson represent those of the author alone)

Lesson Completion Time: 45 minutes

Author: Robert Joslin, Ph.D., Embry-Riddle Aeronautical University

GARA and Aircraft Manufacturers' Liability

The General Aviation Revitalization Act of 1994 (GARA) has reshaped the landscape of tort law in American, non-commercial aviation. This lesson provides an overview of the statute of repose under GARA as well as some of the defining case law and limitations of the Act.

Please note that the opinions and views expressed in this lesson are solely those of the author.

Lesson Completion Time: 50-60 minutes

Author: Benjamin Goodheart, PhD Candidate, Embry-Riddle Aeronautical University

Interference with Flight Crew

This lesson discusses 49 U.S.C. sec. 46504, providing for civil and criminal penalties for passengers who intimidate pilots or flight attendants.

Lesson Completion Time: 45 minutes

Author: Wendy Davis, Associate Professor, University of Massachusetts School of Law at Dartmouth

Introduction to Aviation Insurance Law

This lesson serves as an introduction to the most common types of aviation insurance coverage as governed by United States domestic law, federal law, and international agreements, along with a brief history to the overall subject matter. The purpose of the lesson is to compare and contrast the various types of insurance coverage. General aviation circumstances are emphasized in this lesson, but attention to common carrier aviation insurance is presented as well. Specific attention will be given to the various international agreements and domestic policies that serve as legal bases necessitating different types of coverage.

Lesson Completion Time: 45-60 minutes

Author: Kris Ostrowski, PhD Candidate, Embry-Riddle Aeronautical University