

APPENDIX A TO PART 375—FORM 4509

Approved by OMB  
No. 2106-0002  
Expires 11/30/87

 U.S. Department of Transportation  <b>APPLICATION FOR FOREIGN AIRCRAFT PERMIT OR SPECIAL AUTHORIZATION UNDER PART 375</b> (See Instructions On Reverse Side)		<b>DO NOT WRITE—FOR OFFICIAL USE ONLY</b>  Disposition of Applications: <input type="checkbox"/> Approved <input type="checkbox"/> Approved, subject to condition(s) on reverse. <input type="checkbox"/> Disapproved/Dismissed for reason(s) cited on reverse. Under assigned authority _____ Effective from _____ to _____	
TO: Department of Transportation Licensing Division, P-45 Office of Aviation Operations Washington, D.C. 20590		Director, Office of Aviation Operations	
1. Name and address of applicant: (operator)  Nationality:		Operations pursuant to this authorization shall conform to Part 375 of the Department's Regulations and Part 91 of the Federal Aviation Regulations. THIS PERMIT MUST BE CARRIED ABOARD AIRCRAFT DURING FLIGHT OVER UNITED STATES TERRITORY.	
2. Send authorization to: a. Name and address:  b. Telephone:		3. Aircraft make, model, and registration or identification marks:  4. Country in which aircraft is registered:	
5. Name and address of registered owner of aircraft:		6. Name and address of contractor/charterer:	
7. Dates of flights:			
8. Planned routing of flights (indicate non-traffic stops by asterisks):			
9. Description of operations (see instructions) (Check one): Passenger <input type="checkbox"/> Cargo <input type="checkbox"/> Agricultural or Industrial operation <input type="checkbox"/>			
10. Does the nation which is the domicile of the applicant grant to United States carriers a privilege similar to that requested herein? _____; if so, has the fact of such reciprocity been established with the Department? _____. If the fact has not been established with the Department, provide documentation to establish such reciprocity.			

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11. If application is being filed late, state reasons for lateness:
12. Other information requested by the Department:
<b>CERTIFICATION</b>
I hereby certify that the flights for which authority is sought herein conform to the requirements of the applicable regulations and orders of the Department of Transportation.
_____ (Date)
_____ (Signature and title of authorized officer)

**INSTRUCTIONS**

1. Prepare an original and one copy of this application according to Section 375.43 of the Department's Regulations. If extra space is required to complete an item, continue on a separate sheet of paper.
2. Under Item 9:
  - (a) For passenger flights, provide full identification or description of group contracting for charter, and name and address of travel agent, if any.
  - (b) For cargo flights, provide the names of all contractors, description of cargo, beneficial owner of cargo, and provide a full description of the proposed operation including nature of any service to be performed by any exporter, importer, or transportation agent.
  - (c) For agricultural or industrial operations, describe area involved and purpose of operations.
3. Send the application to: Department of Transportation, Licensing Division, P-45, Office of Aviation Operations, Washington, D.C. 20590.
4. See Part 91 of Federal Aviation Regulations and 375 of the Department's Regulations (14 CFR 91 and 14 CFR 375) for a full statement of the rules respecting navigation of foreign civil aircraft within the United States.

<b>DO NOT WRITE—FOR OFFICIAL USE ONLY</b>
Exercise of the authorization is subject to the following condition(s): <u>OR</u> Application is disapproved/dismissed for the following reason(s):

**PART 377—CONTINUANCE OF EXPIRED AUTHORIZATIONS BY OPERATION OF LAW PENDING FINAL DETERMINATION OF APPLICATIONS FOR RENEWAL THEREOF**

**Subpart A—General Provisions**

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377.1 Definitions.

377.2 Applicability of part.

377.3 Authorizations not covered by 5 U.S.C. 558(c).

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**Subpart B—Renewal Applications and Procedure Thereon**

377.10 Requirements for, and effect of, renewal applications.

377.11 Processing of defective renewal applications.

AUTHORITY: 49 U.S.C. Chapters 401, 461; 5 U.S.C. 558, 559.

**Subpart A—General Provisions**

**§ 377.1 Definitions.**

As used in this part:

*Authorization* means any agency certificate, approval, statutory exemption or other form of permission granted pursuant to sections 101(3), 401, 402, 408, 409, 412 and 416 of the Federal Aviation Act of 1958, as amended. Where any operating authorization creates more than one separate route, each of these shall be deemed a separate authorization for the purposes of this part.

*Renewal application* means any application filed in conformity with the requirements of this part which requests either a renewal or a new license and is intended to invoke the provisions of the last sentence of 5 U.S.C. 558(c).

*Route* means an authorization which permits an air carrier to render unlimited regularly scheduled service between a specifically designated pair of terminal points and intermediate points, if any.

[SPR-84, 40 FR 24998, June 12, 1975, as amended by SPR-184, 47 FR 7212, Feb. 18, 1982]

**§ 377.2 Applicability of part.**

(a) This part implements the last sentence of 5 U.S.C. 558(c) with regard to temporary authorizations granted by the Board.

NOTE: The last sentence of 5 U.S.C. 558(c) provides: "When the licensee has made timely and sufficient application for a renewal or a new license in accordance with agency rules, a license with reference to an activity of a continuing nature does not expire until the application has been finally determined by the agency."

(b) Nothing in this part prevents the Board from terminating at any time, in accordance with law, any authorization or any extension of an authorization.

(c) Nothing in this part constitutes a determination that any given authorization is a "license with reference to an activity of a continuing nature" within the meaning of 5 U.S.C. 558(c).

[SPR-184, 47 FR 7212, Feb. 18, 1982]

**§ 377.3 Authorizations not covered by 5 U.S.C. 558(c).**

The Board hereby determines that the following authorizations are not licenses "with reference to an activity of a continuing nature" within the meaning of 5 U.S.C. 558(c):

(a) Authorizations granted for a specified period of 180 days or less; and

(b) Authorizations, other than those granted under section 401 of the Act, that by their terms are subject to termination at an uncertain date upon the happening of an event, including fulfillment of a condition subsequent or occurrence of a contingency.

[SPR-184, 47 FR 7212, Feb. 18, 1982]

**§ 377.4 Certain authorizations with alternative termination dates.**

Unless granted under section 401 of the Act, an authorization that by its terms is subject to termination alternatively, either at an uncertain date upon the happening of an event or upon the arrival of a specified date:

(a) Will not be considered a "license with reference to an activity of a continuing nature" within the meaning of 5 U.S.C. 558(c), if the event occurs before the specified date; and

(b) Ordinarily (subject to Board interpretation under § 377.5) will be considered such a license, if the event does not occur before the specified date and