

(d) A voting trust agreement may not empower a trustee to act through a proxy.

[Amdt. 47-20, 44 FR 61939, Oct. 29, 1979, as amended by Amdt. 47-27, 70 FR 245, Jan. 3, 2005; Amdt. 47-29, 75 FR 41980, July 20, 2010]

#### §47.9 Corporations not U.S. citizens.

(a) Each corporation applying for registration of an aircraft under 49 U.S.C. 44102 must submit to the Registry with the Aircraft Registration Application, AC Form 8050-1—

(1) A certified copy of its certificate of incorporation;

(2) A certification that it is lawfully qualified to do business in one or more States;

(3) A certification that the aircraft will be based and primarily used in the United States; and

(4) The location where the records required by paragraph (e) of this section will be maintained.

(b) For the purposes of registration, an aircraft is based and primarily used in the United States if the flight hours accumulated within the United States amount to at least 60 percent of the total flight hours of the aircraft during—

(1) For aircraft registered on or before January 1, 1980, the 6-calendar month period beginning on January 1, 1980, and each 6-calendar month period thereafter; and

(2) For aircraft registered after January 1, 1980, the period consisting in the remainder of the registration month and the succeeding 6 calendar months and each 6-calendar month period thereafter.

(c) For the purpose of this section, only those flight hours accumulated during non-stop (except for stops in emergencies or for purposes of refueling) flight between two points in the United States, even if the aircraft is outside of the United States during part of the flight, are considered flight hours accumulated within the United States.

(d) In determining compliance with this section, any periods during which the aircraft is not validly registered in the United States are disregarded.

(e) The corporation that registers an aircraft pursuant to 49 U.S.C. 44102 shall maintain, and make available for

inspection by the FAA upon request, records containing the total flight hours in the United States of the aircraft for three calendar years after the year in which the flight hours were accumulated.

(f) The corporation that registers an aircraft pursuant to 49 U.S.C. 44102 shall send to the Registry, at the end of each period of time described in paragraphs (b)(1) and (2) of this section, either—

(1) A signed report containing—

(i) The total time in service of the airframe as provided in §91.417(a)(2)(i), accumulated during that period; and

(ii) The total flight hours in the United States of the aircraft accumulated during that period; or

(2) A signed statement that the total flight hours of the aircraft, while registered in the United States during that period, have been exclusively within the United States.

[Amdt. No. 47-20, 44 FR 61940, Oct. 29, 1979, as amended by Amdt. 47-24, 54 FR 34330, Aug. 18, 1989; Amdt. 47-27, 70 FR 245, Jan. 3, 2005]

#### §47.11 Evidence of ownership.

Except as provided in §§47.33 and 47.35, each person that submits an Aircraft Registration Application, AC Form 8050-1 under this part must also submit the required evidence of ownership, recordable under §§49.13 and 49.17 of this chapter, as follows:

(a) The buyer in possession, the bailee, or the lessee of an aircraft under a contract of conditional sale must submit the contract. The assignee under a contract of conditional sale must submit both the contract (unless it is already recorded at the Registry), and his assignment from the original buyer, bailee, lessee, or prior assignee.

(b) The reposessor of an aircraft must submit—

(1) A Certificate of Repossession of Encumbered Aircraft, FAA Form 8050-4, or its equivalent, signed by the applicant and stating that the aircraft was repossessed or otherwise seized under the security agreement involved and applicable local law;

(2) The security agreement (unless it is already recorded at the Registry), or a copy thereof certified as true under §49.21 of this chapter; and