

(d) A reporting carrier must meet the requirements of paragraphs (b) and (c) of this section by June 29, 2010.

[DOT-OST-2007-0022, 74 FR 69002, Dec. 30, 2009, as amended by DOT-OST-2010-0039, 75 FR 17052, Apr. 5, 2010; DOT-OST-2007-0022, 75 FR 34927, June 21, 2010]

#### § 234.12 Waivers.

Any carrier may request a waiver from the reporting requirements of this part. Such a request, at the discretion of the Director, Bureau of Transportation Statistics may be granted for good cause shown. The requesting party shall state the basis for such a waiver.

[Doc. No. 48524, 59 FR 49798, Sept. 30, 1994, as amended at 60 FR 66722, Dec. 26, 1995]

### PART 235—REPORTS BY AIR CARRIERS ON INCIDENTS INVOLVING ANIMALS DURING AIR TRANSPORT

Sec.

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AUTHORITY: 49 U.S.C. 41721.

SOURCE: 79 FR 37945, July 3, 2014, unless otherwise noted.

#### § 235.1 Definitions.

For the purposes of this part:

*Air transport* includes the entire period during which an animal is in the custody of an air carrier, from the time that the animal is tendered to the air carrier prior to departure until the air carrier tenders the animal to the owner, guardian or representative of the shipper of the animal at the animal's final destination. It does not include animals that accompany a passenger at his or her seat in the cabin and of which the air carrier does not take custody.

*Animal* means any warm- or cold-blooded animal which, at the time of transportation, is being kept as a pet in a family household in the United States and any dog or cat which, at the time of transportation, is shipped as part of a commercial shipment on a scheduled passenger flight, including shipments by trainers and breeders.

#### § 235.2 Applicability.

This part applies to the scheduled domestic and international passenger service of any U.S. air carrier that operates such service with at least one aircraft having a designed seating capacity of more than 60 passenger seats. The reporting requirements of this part apply to all scheduled-service passenger flights of such carriers, including flights that are operated with aircraft having 60 or fewer seats.

#### § 235.3 Reports by air carriers on incidents involving animals during air transport.

(a) Each covered carrier shall, within 15 days after the end of the month to which the information applies, submit to the United States Department of Transportation's Aviation Consumer Protection Division a report on any incidents involving the loss, injury, or death of an animal during air transport provided by the air carrier, including incidents on flights by that carrier that are operated with aircraft having 60 or fewer seats. The report shall be made in the form and manner set forth in reporting directives issued by the Deputy General Counsel for the U.S. Department of Transportation and shall contain the following information:

- (1) Carrier and flight number;
- (2) Date and time of the incident;
- (3) Description of the animal, including name, if known;
- (4) Name and contact information of the owner(s), guardian, and/or shipper of the animal;
- (5) Narrative description of the incident;
- (6) Narrative description of the cause of the incident;
- (7) Narrative description of any corrective action taken in response to the incident; and
- (8) Name, title, address, and telephone number of the individual filing the report on behalf of the air carrier.

(b) Within 15 days after the end of December of each year, each covered carrier shall submit the following information (this information may be included in any report that the carrier may file for the loss, injury, or death of animals during the month of December):

(1) The total number of incidents involving an animal during air transport provided by the air carrier for the entire calendar year, including incidents on flights by that carrier that are operated with aircraft having 60 or fewer seats. The report shall include sub-totals for loss, injury, and death of animals. Report "0" for any category for which there were no such incidents. If the carrier had no reportable incidents for that calendar year, it shall report "0" in each category. Covered carriers shall use the following data table when reporting the total number of animal incidents during air transport provided by the air carrier for the entire calendar year:

	Total number in the calendar year
Deaths	
Injuries	
Loss	

(2) The total number of animals transported in the calendar year. If the carrier did not transport any animals for that calendar year, it shall report "0."

(3) The December report must contain the following certification signed by the carrier's authorized representative: "I, the undersigned, do certify that this report has been prepared under my direction in accordance with the regulations in 14 CFR part 235. I affirm that, to the best of my knowledge and belief, this is a true, correct and complete report."

**PART 240—INSPECTION OF ACCOUNTS AND PROPERTY**

- Sec. 240.1 Interpretation.
- 240.2 Obligation of air carriers, foreign air carriers, and ticket agents.

**§ 240.1 Interpretation.**

- (a) In the exercise of the authority granted by section 407(e) of the Act, the authority of any special agent or auditor to inspect and examine lands, buildings, equipment, accounts, records, memorandums, papers or correspondence shall include the authority to make such notes and copies thereof as he deems appropriate.
- (b) The term "special agent" and "auditor" are construed to mean any

employee of the Bureau of Enforcement and any other employee of the Board specifically designated by it or by the Director, Office of Facilities and Operations.

(c) The issuance in the form set forth below of an identification card and credentials to any such employee shall be construed to be an order and direction of the Board to such individual to inspect and examine lands, buildings, equipment, accounts, records, and memorandums in accordance with the authority conferred on the Board by the Act.

UNITED STATES OF AMERICA, CIVIL AERONAUTICS BOARD, WASHINGTON, D.C.

Number \_\_\_\_\_  
Expires \_\_\_\_\_

[photo]

Signature

This is to certify that \_\_\_\_\_, whose signature and photograph appear hereon is a duly designated \_\_\_\_\_

of the Civil Aeronautics Board and is authorized and directed to perform the duties of said office in accordance with the laws of the United States and regulations thereunder, and his authority will be respected accordingly.

By authority of the Civil Aeronautics Board.

Secretary

CIVIL AERONAUTICS BOARD

Name \_\_\_\_\_  
Date Issued \_\_\_\_\_  
Number \_\_\_\_\_  
Height \_\_\_\_\_  
Weight \_\_\_\_\_  
Hair \_\_\_\_\_  
Eyes \_\_\_\_\_  
Date of Birth \_\_\_\_\_

The holder hereof is authorized to investigate violations of the Federal Aviation Act, as amended, collect evidence in cases in which the regulatory authority of the Civil Aeronautics Board is or may be involved and perform other duties imposed upon him by law.

Under the Federal Aviation Act and part 240 of the Economic Regulations of the Civil