

- 221.212 Special tariff permission.
 221.300 Discontinuation of electronic tariff system.
 221.400 Filing of paper tariffs required.
 221.500 Transmission of electronic tariffs to subscribers.
 221.550 Copies of tariffs made from filer's printer(s) located in Department's public reference room.
 221.600 Actions under assigned authority and petitions for review of staff action.

AUTHORITY: 49 U.S.C. 40101, 40109, 40113, 46101, 46102, chapter 411, chapter 413, chapter 415 and chapter 417, subchapter I.

SOURCE: 64 FR 40657, July 27, 1999, unless otherwise noted.

Subpart A—General

§ 221.1 Applicability of this part.

All tariffs and amendments to tariffs of air carriers and foreign air carriers filed with the Department pursuant to chapter 415 of the statute shall be constructed, published, filed, posted and kept open for public inspection in accordance with the regulations in this part and orders of the Department.

§ 221.2 Carrier's duty.

(a) *Must file tariffs.* (1) Except as provided in paragraph (d) of this section, every air carrier and every foreign air carrier shall file with the Department, and provide and keep open to public inspection, tariffs showing all fares, and charges for foreign air transportation between points served by it, and between points served by it and points served by any other air carrier or foreign air carrier, when through service and through rates shall have been established, and showing to the extent required by regulations and orders of the Department, all classifications, rules, regulations, practices, and services in connection with such foreign air transportation.

(2) Tariffs shall be filed, and provided in such form and manner, and shall contain such information as the Department shall by regulation or order prescribe. Any tariff so filed which is not consistent with chapter 415 of the statute and such regulations and orders may be rejected. Any tariff so rejected shall be void, and may not be used.

(b) *Must observe tariffs.* No air carrier or foreign air carrier shall charge or

demand or collect or receive a greater or less or different compensation for foreign air transportation or for any service in connection therewith, than the fares and charges specified in its currently effective tariffs; and no air carrier or foreign air carrier shall, in any manner or by any device, directly or indirectly, or through any agent or broker, or otherwise, refund or remit any portion of the fares, or charges so specified, or extend to any person any privileges or facilities, with respect to matters required by the Department to be specified in such tariffs, except those specified in such tariffs.

(c) *No relief from violations.* Nothing contained in this part shall be construed as relieving any air carrier or foreign air carrier from liability for violations of the statute, nor shall the filing of a tariff, or amendment thereto, relieve any air carrier or foreign air carrier from such violations or from violations of regulations issued under the statute.

(d) *Exemption authority.* Air carriers and foreign air carriers, both direct and indirect, are exempted from the requirement of section 41504 of the statute and any requirement of this chapter to file, and shall not file with the Department, tariffs for operations under the following provisions:

- (1) Part 291, Domestic Cargo Transportation;
- (2) Part 296, Indirect Air Transportation of Property;
- (3) Part 297, Foreign Air Freight Forwarders and Foreign Cooperative Shippers Association;
- (4) Part 298, Exemption for Air Taxi Operations, except to the extent noted in § 298.11(b);
- (5) Part 380, Public Charters;
- (6) Part 207, Charter Trips and Special Services;
- (7) Part 208, Terms, Conditions, and Limitations of Certificates to Engage in Charter Air Transportation;
- (8) Part 212, Charter Trips by Foreign Air Carriers;
- (9) Part 292, International Cargo Transportation, except as provided in part 292.
- (10) Part 293 International Passenger Transportation, except as provided in part 293.