

§ 440.1

- 440.9 Insurance requirements for licensed or permitted activities.
- 440.11 Duration of coverage for licensed launch, including suborbital launch, or permitted activities; modifications.
- 440.12 Duration of coverage for licensed reentry; modifications.
- 440.13 Standard conditions of insurance coverage.
- 440.15 Demonstration of compliance.
- 440.17 Reciprocal waiver of claims requirements.
- 440.19 United States payment of excess third-party liability claims.
- APPENDIX A TO PART 440—INFORMATION REQUIREMENTS FOR OBTAINING A MAXIMUM PROBABLE LOSS DETERMINATION FOR LICENSED OR PERMITTED ACTIVITIES
- APPENDIX B TO PART 440—AGREEMENT FOR WAIVER OF CLAIMS AND ASSUMPTION OF RESPONSIBILITY FOR LICENSED ACTIVITIES
- APPENDIX C TO PART 440—AGREEMENT FOR WAIVER OF CLAIMS AND ASSUMPTION OF RESPONSIBILITY FOR PERMITTED ACTIVITIES
- APPENDIX D TO PART 440—AGREEMENT FOR WAIVER OF CLAIMS AND ASSUMPTION OF RESPONSIBILITY FOR A CREW MEMBER
- APPENDIX E TO PART 440—AGREEMENT FOR WAIVER OF CLAIMS AND ASSUMPTION OF RESPONSIBILITY FOR A SPACE FLIGHT PARTICIPANT

AUTHORITY: 49 U.S.C. 70101–70119; 49 CFR 1.47.

SOURCE: Docket No. FAA–2005–23449, 71 FR 75632, Dec. 15, 2006, unless otherwise noted.

Subpart A—Financial Responsibility for Licensed and Permitted Activities

§ 440.1 Scope of part.

This part establishes financial responsibility and allocation of risk requirements for any launch or reentry authorized by a license or permit issued under this subchapter.

§ 440.3 Definitions.

Except as otherwise provided in this section, any term used in this part and defined in 49 U.S.C. 70101–70121, or in § 401.5 of this chapter shall have the meaning contained therein. For purposes of this part—

Bodily injury means physical injury, sickness, disease, disability, shock, mental anguish, or mental injury sustained by any person, including death.

Contractors and subcontractors means those entities that are involved at any level, directly or indirectly, in licensed

14 CFR Ch. III (1–1–08 Edition)

or permitted activities, and includes suppliers of property and services, and the component manufacturers of a launch vehicle, reentry vehicle, or payload.

Customer means.

(1) Any person:

(i) Who procures launch or reentry services from a licensee or permittee;

(ii) With rights in the payload (or any part of the payload) to be launched or reentered by the licensee or permittee, including a conditional sale, lease, assignment, or transfer of rights;

(iii) Who has placed property on board the payload for launch, reentry, or payload services; or

(iv) To whom the customer has transferred its rights to the launch or reentry services.

(2) A space flight participant, for the purposes of this part, is not a customer.

Federal range facility means a U.S. Government-owned installation at which a launch or reentry takes place.

Financial responsibility means capable of satisfying a liability obligation as required by 49 U.S.C. Subtitle IX, chapter 701.

Government personnel means employees of the United States, its agencies, and its contractors and subcontractors, involved in launch or reentry services for an activity authorized by an FAA license or permit. Employees of the United States include members of the Armed Forces of the United States.

Hazardous operations means activities, processes, and procedures that, because of the nature of the equipment, facilities, personnel, environment involved or function being performed, may result in bodily injury or property damage.

Liability means a legal obligation to pay a claim for bodily injury or property damage resulting from a licensed or permitted activity.

License means an authorization the FAA issues under this subchapter to launch or reenter a launch or reentry vehicle.

Licensed activity means the launch of a launch vehicle or the reentry of a reentry vehicle conducted under a license the FAA issues.

Maximum probable loss (MPL) means the greatest dollar amount of loss for