

WESTLAW

NOTES OF DECISIONS (2)

Aviation safety action program (ASAP)
reports
Privilege

United States Code Annotated
Title 49. Transportation (Refs & Annos)
Subtitle VII. Aviation Programs
§ 40123. Protection of voluntarily submitted information (Refs & Annos)
United States Code Annotated Title 49. Transportation Effective: October 9, 1996 (Approx. 2 pages)
Subpart I. General
Chapter 401. General Provisions (Refs & Annos)

Effective: October 9, 1996

49 U.S.C.A. § 40123

§ 40123. Protection of voluntarily submitted information

Currentness

(a) In general.--Notwithstanding any other provision of law, neither the Administrator of the Federal Aviation Administration, nor any agency receiving information from the Administrator, shall disclose voluntarily-provided safety or security related information if the Administrator finds that--

(1) the disclosure of the information would inhibit the voluntary provision of that type of information and that the receipt of that type of information aids in fulfilling the Administrator's safety and security responsibilities; and

(2) withholding such information from disclosure would be consistent with the Administrator's safety and security responsibilities.

(b) Regulations.--The Administrator shall issue regulations to carry out this section.

CREDIT(S)

(Added Pub.L. 104-264, Title IV, § 402(a), Oct. 9, 1996, 110 Stat. 3255.)

Notes of Decisions (2)

49 U.S.C.A. § 40123, 49 USCA § 40123

Current through P.L. 115-46. Also includes P.L. 115-49 to 115-51. Title 26 current through 115-52.

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United States Code Annotated

Title 49. Transportation (Refs & Annos)

Subtitle VII. Aviation Programs

§ 44735. Limitation on disclosure of safety information (Refs & Annos)

United States Code Annotated, Title 49. Transportation, Effective February 14, 2012 (Approx. 2 pages)

Subpart III. Safety (Refs & Annos)

Chapter 447. Safety Regulation (Refs & Annos)

Proposed Legislation

Effective: February 14, 2012

49 U.S.C.A. § 44735

§ 44735. Limitation on disclosure of safety information

Currentness

(a) In general.--Except as provided by subsection (c), a report, data, or other information described in subsection (b) shall not be disclosed to the public by the Administrator of the Federal Aviation Administration pursuant to section 552(b)(3)(B) of title 5 if the report, data, or other information is submitted to the Federal Aviation Administration voluntarily and is not required to be submitted to the Administrator under any other provision of law.

(b) Applicability.--The limitation established by subsection (a) shall apply to the following:

- (1) Reports, data, or other information developed under the Aviation Safety Action Program.
- (2) Reports, data, or other information produced or collected under the Flight Operational Quality Assurance Program.
- (3) Reports, data, or other information developed under the Line Operations Safety Audit Program.
- (4) Reports, data, or other information produced or collected for purposes of developing and implementing a safety management system acceptable to the Administrator.
- (5) Reports, analyses, and directed studies, based in whole or in part on reports, data, or other information described in paragraphs (1) through (4), including those prepared under the Aviation Safety Information Analysis and Sharing Program (or any successor program).

(c) Exception for de-identified information.--

(1) In general.--The limitation established by subsection (a) shall not apply to a report, data, or other information if the information contained in the report, data, or other information has been de-identified.

(2) De-identified defined.--In this subsection, the term "de-identified" means the process by which all information that is likely to establish the identity of the specific persons or entities submitting reports, data, or other information is removed from the reports, data, or other information.

CREDIT(S)

(Added Pub.L. 112-95, Title III, § 310(a), Feb. 14, 2012, 126 Stat. 64.)

49 U.S.C.A. § 44735, 49 USCA § 44735

Current through P.L. 115-46. Also includes P.L. 115-49 to 115-51. Title 26 current through 115-52.

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