

For: LeClairRyan, Alexandria, Va.
From: Parness & Associates, Aberdeen, N.J.

FOR IMMEDIATE RELEASE

**CHARTER AVIATION STAKEHOLDERS SHOULD PREPARE FOR FAA RULE CHANGES,
SAY LECLAIRRYAN ATTORNEYS**

--Free, 90-minute webinar by members of the national law firm's aviation team covers the gamut of changes affecting air charter brokers, agents, air taxi operators and others; rules take effect Feb. 14.

ALEXANDRIA, VA. (1/23/19) – A new [LeClairRyan](#) webinar provides critical information about FAA rule changes set to take effect next month in charter aviation.

Conducted on Jan. 9 by veteran Alexandria-based members of the national law firm's aviation practice team, the 90-minute webinar is a deep dive into the FAA's new rules governing interactions between brokers, charterers and carriers. It is available, free of charge, for audio streaming or download [here](#).

“These changes are about ramping up transparency, clamping down on deceptive or unfair trade practices and promoting U.S. charter aviation by improving the consumer experience,” said Mark E. McKinnon, a 27-year veteran of aviation law and LeClairRyan partner. “But companies need to act now to prepare as changes go into effect on Feb. 14.”

Adding urgency to this deadline, FAA and DOT aim to step up surveillance, oversight and enforcement of charter operators and brokers this year, noted co-presenter Darcy C. Osta, a partner and veteran transportation and aviation attorney.

The new FAA regulations were sparked in part by an NTSB investigation of a deadly 2004 plane crash involving a company that did business under a confusing proliferation of revolving trade names, McKinnon said. “NTSB's investigators, and even some executives at the charter company itself, had struggled to figure out the actual relationship between this swirl of entities,” he explained. “In a 2006 safety recommendation to the FAA based on the accident, NTSB noted that a lack of transparency over aircraft charters might undermine a passenger's ability to make safety-related decisions.”

During the program, Osta and McKinnon cover new FAA designations such as “air charter brokers” and “indirect air carrier” and describe in detail a raft of disclosure responsibilities—some mandatory, others that must be provided upon request—for air charter brokers as well as air taxi or commuter air carriers that sell charter air transportation. “To cite just one example, before entering into a contract, the air charter broker must disclose the corporate name of the direct air carrier in operational control of the aircraft, as well as any other names in which that direct carrier holds itself out to the public,” Osta noted.

The attorneys also discuss FAA's new list of prohibited “deceptive and unfair trade practices” for the aforementioned parties. Now that regulators have spelled out these prohibited acts in plain English, claims of ignorance in the wake of a violation are hardly viable, McKinnon noted.

“Per the regulations, air charter brokers need to familiarize themselves with this list and scour their ads, solicitation materials, brochures and web pages to clarify that they are not a direct air carrier in operational control of an aircraft,” the attorney related. “Among other transparency requirements, they need to make clear that the services will be provided by a licensed direct air carrier. If the air charter broker displays its name and logo on an aircraft, the name of the direct air carrier must be prominently displayed as well.”

Lastly, the attorneys offer an in-depth to-do list designed to help stakeholders in charter aviation prepare for these changes. “If you're a charterer, for example, it's important to know all of the information to which you're entitled now,” Osta said. “These rules empower you to find out more about charter air carriers. You can look into their safety records and make more informed decisions about who is being

hired.” Under certain circumstances, charterers can also take advantage of the new regulations to change contracts, cancel flights and receive timely refunds. “Know your rights,” Osta said.

About LeClairRyan

As a trusted advisor, LeClairRyan provides business counsel and client representation in corporate law and litigation. In this role, the firm applies its knowledge, insight and skill to help clients achieve their business objectives while managing and minimizing their legal risks, difficulties and expenses. With offices from coast to coast, the firm represents a wide variety of clients nationwide. For more information about LeClairRyan, visit www.leclairryan.com.

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