

26 June 1970

Ronald E. Council, Esq.  
Hartman and Crain  
Attorneys at Law  
182 Duke of Gloucester Street  
Annapolis, Maryland 21401

Re: B/W Aircraft Sales & Leasing Co. v. East Coast Leasing Co.  
Your File No. 4218-A

Dear Mr. Council:

This is in reply to your letter of 22 June 1970 in which you inquired as to the procedure for recording a mechanics lien on an aircraft.

Mechanics liens are considered to be instruments which affect title or any interest in aircraft and therefore are recordable under the provisions of Part 49 of the Federal Aviation Regulations (14 CFR Part 49). We have interpreted this to mean that it is necessary that the debtor against whom the lien is asserted is the registered owner of the aircraft. There are no special procedures set forth in Part 49 concerning mechanics liens and therefore it would be only necessary for you to comply with the general requirements set forth in Subparts B and C of that regulation. In this respect, we would direct your attention specifically to Sections 49.11, 49.13, 49.15, 49.21, and 49.33. In addition, Section 506 of the Federal Aviation Act of 1958 (49 USC 1406) provides that the validity of any instrument submitted for recordation is governed by the laws of the state in which such instrument is delivered. Accordingly, any mechanics lien which is executed in compliance with the laws of the State of Maryland would be eligible for recording and the forms used in Maryland would be acceptable. It would be helpful for you to forward a copy of the pertinent section of the Maryland Code. You may also desire to furnish an opinion by your firm that the mechanics lien was executed in conformance with the laws of the state.

As set forth in Section 49.11, this material should be forwarded to the FAA Aircraft Registry, Department of Transportation, P.O. Box 25082, Oklahoma City, Oklahoma 73125, along with the appropriate fee. If you have any further questions concerning this matter, please feel free to contact either this office or the FAA Aircraft Registry.

Sincerely,  
ORIGINAL SIGNED BY  
FREDERICK C. WOODRUFF  
FREDERICK C. WOODRUFF  
Asst. Aeronautical Center Counsel, AC-7

cc: AC-250 —