



U.S. Department  
of Transportation

**Federal Aviation  
Administration**

Mike Monroney  
Aeronautical Center

P.O. Box 25082  
Oklahoma City, Oklahoma 73125

451

August 28, 1992

Walter E. White  
12711 Woods Ave., #9  
Norwalk, CA 90650

Dear Mr. White:

This letter responds to your inquiry submitted to this office regarding an alleged violation of 49 U.S.C. 1401. In your letter, you maintain that Richard A. Reinhardt owned and operated aircraft N3410E when the aircraft was not registered to him.

With your letter you enclosed a copy of a declaration made by Mr. Reinhardt in which he states that in 1982 he purchased the aircraft from Clement E. Smith. Mr. Reinhardt also states that he subsequently sold the aircraft to Butterfield Airplane Store. You maintain that because Mr. Reinhardt stated that he owned the aircraft, he was in violation of 49 U.S.C. 1401 by reason of the fact he did not register the aircraft.

The FAA Aircraft Registry records regarding N3410E reflect that during the time period in question, the aircraft remained registered to Clement E. Smith and Cecil N. Green. In Mr. Reinhardt's declaration, he states that although he purchased the aircraft from Mr. Smith pursuant to a purchase agreement, title of the aircraft did not pass from Mr. Smith to Mr. Reinhardt. The declaration of Mr. Reinhardt, therefore, is insufficient evidence to allege a violation of 49 U.S.C. 1401.

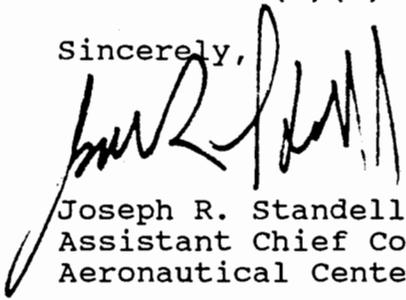
Pursuant to the Federal Aviation Act of 1958, as amended, Section 501(f), "[r]egistration shall not be evidence of ownership of aircraft in any proceeding in which such ownership by a particular person is, or may be, in issue." The FAA does not determine ownership of an aircraft. Where an issue exists regarding the ownership of an aircraft, the issue must be resolved by agreement among the parties, or by a court of competent jurisdiction.

In your letter you also request the office to which you should direct a complaint regarding the alleged violation. This office addresses allegations of aircraft registration violations, however, your local FAA Flight Standards District Office may also provide assistance regarding the operation of aircraft not properly registered.

Additionally, the Code of Federal Regulations (14 C.F.R. 13.5) provides that "[a]ny person may file a complaint with the Administrator with respect to anything done or omitted to be done

by any person in contravention of any provision of any Act or of any regulation or order issued under it, as to matters within the jurisdiction of the Administrator." Complaints files under this section must be submitted to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Enforcement Docket (AGC-10), 800 Independence Avenue, S.W., Washington, D.C. 20591 (14 C.F.R. 13.5(b)(2)). A copy of this regulation is enclosed.

Sincerely,



Joseph R. Standell  
Assistant Chief Counsel  
Aeronautical Center

Enclosure