

San José State University
Aviation and Technology Department
AVIA 173, Aviation Law, Spring 2018

Course and Contact Information

Instructor:	Dr. Tyler Spence
Office Location:	IS 102
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Office Hours:	M – 1:00 PM to 2:00 PM TH – 11:00 AM to 12:00 PM, or other times by appointment
Class Days/Time:	M/W, 10:30 AM to 11:45 AM
Classroom:	CLARK 224
Prerequisites:	AVIA 78

Course Format

Course materials such as syllabus, handouts, lecture slides, assignment instructions, etc. can be found on [Canvas Learning Management System course login website \(https://sjsu.instructure.com/courses/1232032\)](https://sjsu.instructure.com/courses/1232032). The Federal Aviation Administration and other government agencies make many of their documents and resources available online, and constant review of such material is highly recommended. This makes the use of a laptop or other readily available computer essential. E-mail will be a primary means of communication to the class outside of scheduled class time. The email address you have connected to your SJSU account will be used by the instructor. Make sure you have email access readily available. For any notification to the instructor, an email to the instructor should be sent and a reply should be received within 24 hours.

Catalog Description

Law and legal issues in aviation from both a national and international perspective. Rights and responsibilities of individuals, organizations, and the aviation community. Regulations and liability pertaining to the design, manufacture, operation and maintenance of aircraft.

Course Objectives

Upon completion of this course the student will be able to identify and describe the regulatory agencies governing aviation activities in the United States. The student will also have a basic understanding of the international context of aviation law. Finally, the student will be able to be equipped with a basic understanding of legal principles surrounding the aviation industry for airports, airlines, and general aviation. Students should be able to recognize when legal representation or advice will be needed.

“Each pilot shall, before beginning a flight, become familiar with all available information” (14 CFR 91.103). The same regulation and philosophy applies to this course as with all other pilot knowledge courses. Read constantly, and you will do well in this course, which will lead to success in your other aviation courses.

Course Learning Outcomes (CLO)

Upon successful completion of this course, students will be able to:

- CLO 1. Analyze the historical context of the regulatory power of the Federal Aviation Administration.
- CLO 2. Successfully access appropriate Federal Aviation Regulations and Advisory Circulars for airports, airlines, maintenance, and aircraft operations.
- CLO 3. Explain the role of the International Civil Aviation Organization and how the Standards and Recommended Procedures impact US aviation regulations.
- CLO 4. Describe the rights and responsibilities of a certificated pilot the United States.
- CLO 5. Learn to recognize when legal advice or representation may be necessary.

Required Texts/Readings

Main Textbooks

- Hamilton, J. Scott. (2015). *Practical Aviation & Aerospace Law* (6th ed.). Newcastle, WA: Aviation Supplies & Academics, Inc. (5th Edition also acceptable).
- Federal Aviation Regulations (FARs), at a minimum Part 1, 21, 39, 43, 47, 61, 71, 91, 135, 830, available at <https://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR&searchPath=Title+14&oldPath=&isCollapsed=true&selectedYearFrom=2016&ycord=228>
- Aeronautical Information Manual (AIM) – reference material for flight information and procedures, available at https://www.faa.gov/air_traffic/publications/media/aim.pdf

Other Readings

- Readings will be assigned on CANVAS when appropriate. Announcements will be made when additional readings are posted.

More information to get additional details on specific topics surveyed and covered in class can be found in:

- Advisory Circulars (also known as “ACs”) published by the FAA
- International Civil Aviation Organization Standards and Recommended Procedures (SARPs)

Course Requirements and Assignments

All assignments with descriptions, due dates, and submission guidelines will be posted on Canvas. No late submissions will be accepted, unless special arrangements are made with the instructor before the posted due date. There may be a teaching assistant for the course who will help grade assignments. More information will be provided when applicable. The syllabus is subject to change and, to the best of the instructor’s ability, prior notification to the students will be given when a change is necessary. The following is relevant information regarding assignments:

- HW material will cover practical exercises and examples to help students in their preparation towards a career in the aviation industry.
- To ask for a re-grade or correction, a written notice explaining the issue that should be looked at by the instructor needs to be submitted

- Extra-credit opportunities may be assigned during the course. These activities will help students who at the end of the class present a situation that is in between two grades to achieve the higher grade. Extra-credit activities will involve interpretation of legal precedent regarding aviation issues. This may include summarizing a prominent legal case, or writing a brief report on a contemporary legal aviation issue. Extra Credit opportunities will be described by the instructor when determined appropriate.

As an aid to your preparation, please be reminded of SJSU’s Credit Hour Requirement policy, which states:

“Success in this course is based on the expectation that students will spend, for each unit of credit, a minimum of 45 hours over the length of the course (normally 3 hours per unit per week with 1 of the hours used for lecture) for instruction or preparation/studying or course related activities [..].”

Final Examination and Evaluation Policy

The final exam will be closed-book and comprehensive, covering all material presented in class. There will be no make-ups for missed tests, except for medical or other reasons outside the student’s control, and such must be documented by email or written notice. Such notice must be given prior to the event whenever possible.

Grading Information

Class assignments (HW and quizzes), midterms, and final exam all contribute to the overall grade with the following weights:

Item	Weight
Midterm	20 %
Group Presentation	30 %
Homework (Average)	20 %
Final**	30 %

Determination of Grades

There will be no curving of grades. Final grades will be assigned as follows:

- A: from 90% to 100%
- A-: from 88% to 90%
- B+: from 85% to 88%
- B: from 80% to 85%
- B-: from 78% to 80%
- C+: from 75% to 78%
- C: from 70% to 75%
- C-: from 68% to 70%
- D: from 60% to 68%
- F: less than 60%

Classroom Protocol

Class participation and attendance is strongly encouraged. No make-up test or assignment will be arranged unless written notice prior to a missed assignment is given to the instructor and consent for a makeup or extension is received by the student. An e-mail should be sent to the instructor prior to any class being missed. Cell-phones should be put in silent mode prior to entering class. Students that wish to use a laptop for any use other than note taking are encouraged to seat in the last row of the classroom as to not disturb other students that are following the lecture.

University Policies

Per University Policy S16-9, university-wide policy information relevant to all courses, such as academic integrity, accommodations, etc. will be available on Office of Graduate and Undergraduate Programs' [Syllabus Information web page](http://www.sjsu.edu/gup/syllabusinfo/) at <http://www.sjsu.edu/gup/syllabusinfo/>

AVIA 173, Aviation Law, Spring 2018 – Course Schedule

The following is a tentative schedule for the class. Changes to the following schedule will be communicated promptly by the instructor.

Week	Date	Topic	Suggested Reading	HW Due
1	01/24	Course Introduction and Overview		
2	01/29	US Aviation Regulatory Context		
2	01/31	History of Aviation Regulation in the US	CANVAS Readings	
3	02/05	Authority of the Federal Aviation Administration	FAR.AIM 2018	
3	02/07	Federal Aviation Regulations	FAR/AIM 2018	HW 1 due
4	02/12	FAA Regulation of Airspace	JSH Chapter 14	
4	02/14	Airports and Terminal Airspace	JSH Chapter 13	
5	02/19	International Aviation Organizations	JSH Chapter 1	
5	02/21	Crime and Aviation Security	JSH Chapter 15	
6	02/26	FAA Enforcement	JSH Chapter 2	HW 2 due
6	02/28	Aviation Medical Cases	JSH Chapter 3	
7	03/05	Basic Principles of Civil Liability	JSH Chapter 4	
7	03/07	Organizing the Business to Limit Liability	JSH Chapter 5	
8	03/12	Exculpatory Contracts	JSH Chapter 7	
8	03/14	Airline Liability	JSH Chapter 8	HW 3 due
9	03/19	Government Liability and Review	JSH Chapter 9	
9	03/21	MIDTERM EXAM		
10	03/26	SPRING RECESS Monday March 26, 2018 – Friday, March 30, 2018		
10	03/28			
11	04/02	Aviation Insurance	JSH Chapter 6	
11	04/04	Buying and Selling Aircraft	JSH Chapter 11	
12	04/09	Aircraft Leasing, Co-Ownership, and Fractional Ownership	JSH Chapter 12	
12	04/11	Labor and Employment Law	JSH Chapter 16	HW 4 due

Week	Date	Topic	Suggested Reading	HW Due
13	04/16	Air Carrier Labor Law	JSH Chapter 17	
13	04/18	Accident Notification, Reporting, and Investigation	JSH Chapter 10	
14	04/23	Special Aviation Legal Cases in US	CANVAS Readings	
14	04/25	Introduction of Unmanned Aircraft	CANVAS Readings	
15	04/30	Transition from Student to Professional	CANVAS Readings	
15	05/02	Group 1, Group 2, Group 3 Presentations		HW 5 due
16	05/07	Group 4, Group 5, and Group 6 Presentations		
16	05/09	Group 7, Group 8, and Group 9 Presentations		
17	05/14	WRAPUP and REVIEW in preparation for FINAL		
FINAL EXAM	MONDAY, MAY 21st, 09:45-12:00AM, Clark 224			