# The Journal of Air Law and Commerce

**Volume 81  Spring 2016  Number 2**

## Table of Contents

### Articles

Recent Developments in Aviation Law 2015–2016 ............... *Jonathan M. Hoffman* 143

The Uncertain Oversight of Offshore Aircraft Maintenance: The Case of Australia ....................... *Ian Hampson, Doug Fraser, Michael Quinlan, Anne Junor* 225

In Space, No One Can Hear You Contest Jurisdiction: Establishing Criminal Jurisdiction on the Outer Space Colonies of Tomorrow ................. *Taylor Stanton Hardenstein* 251

### Comments

Safety in the Sky: Will Reforming and Restructuring the TSA Improve Our Security or Merely Infringe on Our Rights? ....................... *Katherine A. Lowe* 291

*Winner of the International Aviation Womens Association Scholarship*


**Winner of the Wayne Vines Memorial Scholarship for Aviation Safety**
<table>
<thead>
<tr>
<th>Name</th>
<th>Affiliation</th>
<th>City, Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gary W. Allen</td>
<td>Attorney at Law</td>
<td>Williamsburg, VA</td>
</tr>
<tr>
<td>Marc S. Moller</td>
<td>Kreindler &amp; Kreindler</td>
<td>New York, NY</td>
</tr>
<tr>
<td>Dr. P. Nikolai Ehlers</td>
<td>Aviation Author &amp; Attorney at Law</td>
<td>Roche Harbor, WA</td>
</tr>
<tr>
<td>John J. Nance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elizabeth Mireya Freidenberg</td>
<td>Freidenberg, Freidenberg &amp; Lifsic</td>
<td>Buenos Aires, Argentina</td>
</tr>
<tr>
<td>David T. Norton</td>
<td>Shackelford, Melton &amp; McKinley, LLP</td>
<td>Dallas, TX</td>
</tr>
<tr>
<td>Eileen M. Gleimer</td>
<td>Crowell &amp; Moring, LLP</td>
<td>Washington, DC</td>
</tr>
<tr>
<td>John F. Pritchard</td>
<td>Holland &amp; Knight</td>
<td>New York, NY</td>
</tr>
<tr>
<td>H. Norman Kinzy</td>
<td>SettlePou</td>
<td>Dallas, TX</td>
</tr>
<tr>
<td>Don G. Rushing</td>
<td></td>
<td>LaJolla, CA</td>
</tr>
<tr>
<td>Paul B. Larsen</td>
<td>Attorney at Law</td>
<td>Bainbridge Island, WA</td>
</tr>
<tr>
<td>Charles R. Shaw</td>
<td>Associate General Counsel</td>
<td>Southwest Airlines</td>
</tr>
<tr>
<td>Robert Lawson</td>
<td>Quadrant Chambers, Quadrant House</td>
<td>London, England</td>
</tr>
<tr>
<td>Charles H. Smith</td>
<td>Cantey Hanger LLP</td>
<td>Dallas, TX</td>
</tr>
<tr>
<td>Allan I. Mendelsohn</td>
<td>Attorney at Law</td>
<td>Washington, DC</td>
</tr>
<tr>
<td>Charles A. Tarpley</td>
<td>Attorney at Law</td>
<td>Dallas, TX</td>
</tr>
<tr>
<td>Pablo M.J. Mendes de Leon</td>
<td>Professor of Air &amp; Space Law</td>
<td>University of Leiden, The Netherlands</td>
</tr>
<tr>
<td>William E. Thoms</td>
<td>Professor Emeritus of Law</td>
<td>Upper Great Plains Transportation Institute</td>
</tr>
<tr>
<td>Dr. Michael Milde</td>
<td>Director Emeritus Institute of Air &amp; Space Law</td>
<td>McGill University, Montreal, Canada</td>
</tr>
<tr>
<td>Windle Turley</td>
<td>Turley Law Firm</td>
<td>Dallas, TX</td>
</tr>
<tr>
<td>William R. Wyatt</td>
<td>Sheppard, Mullin, Richter &amp; Hampton, L.L.P.</td>
<td>New York, NY</td>
</tr>
</tbody>
</table>
The SMU Law Review Association
2015-2016 Staff

Sarah Aboukhair  Jessica Mannon
Kelly Almeter  Brett Moore
Barret Armbruster  Ashbey Morgan
Jonathan Bass  Jordan Newman
Zach Bruchmiller  Jacob L. (Jack) Novak
Jordan Bruns  Anna Olin
Laura Choi  Aaron Pirouznia
Hannah Cline  Stephanie Prestridge
Allison Cook  Ian Quinn
Nicholas Dyer  Laci Reséndiz
Joshua Fuller  Brennwyn Romano
Katherine (Katie) Geddes  John Sager
Dean M. Gould  Sheila Salopek
Landon Hankins  Jessica Schauwecker
Chase Hilton  Laura E. Shapiro
Dana Hilzendager  Omar Shariff
Ryan Holm  Jin S. Shin
Rachel Hurt  Abigail Storm
Kayla Johnson  Jennifer Trejo
Madison Keeble  Daniel Troiano
William Knisley  Alexander (Alex) Turner
David Lassetter  Susan Wheat
Trevor Lawhorn  Hao Wu
Katherine Lowe  Katharyn Zagorin
Tonya Maksimenko
SOUTHERN METHODIST UNIVERSITY DEDMAN SCHOOL OF LAW

OFFICERS OF THE UNIVERSITY

R. Gerald Turner, President
Steve C. Currall, Provost and Vice President for Academic Affairs
Harold W. Stanley, Vice President for Executive Affairs
Brad E. Cheves, Vice President for Development and External Affairs
Christine C. Regis, Vice President for Business and Finance
Paul J. Ward, Vice President for Legal Affairs and Government Relations, General Counsel, and Secretary
Dr. Pamela D. Anthony, Vice President for Student Affairs
Michael A. Condon, University Treasurer

DEDMAN SCHOOL OF LAW

FACULTY AND ADMINISTRATIVE STAFF

Jennifer Collins, Judge James Noel Dean and Professor of Law
Elizabeth G. Thornburg, B.A., J.D., Senior Associate Dean for Academic Affairs and Richard R. Lee Endowed Professor of Law
Nathan Cortez, B.A., J.D., Associate Dean for Research and Adelfa Botello Callejo Endowed Professor of Law in Leadership and Latino Studies
Lynn Switzer Bozalis, B.A., J.D., Associate Dean for Development and Alumni Affairs
Mary B. Spector, B.A., J.D., Associate Dean for Clinics and Professor of Law, Director of Consumer Advocacy Project, and Co-Director of the Civil Clinic
Greg Ivy, B.B.A., M.A., J.D., Associate Dean for Library & Technology Underwood Law Library
Martin L. Camp, B.A., J.D., Assistant Dean for Graduate and International Programs
Becca Henley, B.A., J.D., Assistant Dean for Administration
Jill Nikirk, B.A., J.D., Assistant Dean for Admissions
Karen C. Sargent, B.B.A., J.D., Assistant Dean and Executive Director for Career Services
Stephen B. Yeager, B.B.A., J.D., Assistant Dean for Student Affairs
Laura G. Burstein, B.A., J.D., Director of Public Service and Director of Academic Support
Lynn McVicker Dempsey, B.B.A., Director of External Relations
Linda A. Hale, B.A., J.D., Director of Career Services
Kristy Offenburger, Director of Communications and Marketing
Abby N. Ruth, B.S., J.D., Director of Alumni Relations
Rey Rodriguez, B.B.A., J.D., Director of Career Services and Diversity and Inclusion Initiatives
Roland C. Webb, B.S., M.B.A., Director of Financial Services
Laura Amberson, B.S., Registrar

FACULTY

Roy R. Anderson, B.A., J.D., LL.M., Vinson & Elkins Distinguished Teaching Fellow and Professor of Law
Maureen N. Armour, B.A., M.S.W., J.D., Co-Director of Civil Clinic and Associate Professor of Law
Misty Birdsong, B.A., J.D., Adjunct Professor of Legal Research, Writing and Advocacy
Lackland H. Bloom, Jr., B.A., J.D., Professor of Law
William J. Bridge, B.S.F.S., J.D., Associate Professor of Law
Cheryl Nelson Butler, B.A., J.D., Assistant Professor of Law
Regis W. Campfield, B.B.A., LL.B., Professor Emeritus of Law and Marilyn Jeanne Johnson Distinguished Law Faculty Fellow Emeritus
Beverly M. Carl, B.S.L., J.D., LL.M., Professor Emerita of Law
Michaela E. Cashen, B.A., J.D., Senior Lecturer in Law
Eric Cedillo, B.S., J.D., Adjunct Clinical Professor of Law, Coordinator of Consumer Advocacy Project, Supervisor of Summer Civil Clinic
Anthony J. Colangelo, B.A., J.D., LL.M., J.S.D., Gerald J. Ford Research Fellow and Professor of Law
Nathan Cortez, B.A., J.D., Associate Dean for Research and Adelfa Botello Callejo Endowed Professor of Law in Leadership and Latino Studies
Gregory S. Crespi, B.S., M.S., Ph.D., J.D., Professor of Law
Ruth A. Cross, B.A., J.D., Director of Legal Research, Writing, and Advocacy Program and Senior Lecturer in Law
Greg Ivy, B.B.A., M.A., J.D., Associate Dean for Library & Technology Underwood Law Library
David E. DePianto, B.A., J.D., Assistant Professor of Law
William V. Dorosaneco III, B.A., J.D., Chief Justice John and Lena Hickman Distinguished Faculty Fellow and Professor of Law
Beverly C. Duréus, B.A., J.D., Th.M., Senior Lecturer in Law
Linda S. Eads, B.A., J.D., Associate Provost and Associate Professor of Law
Julia P. Forrester, B.S.E.E., J.D., Associate Provost, Former Dean ad interim, and Professor of Law
Jeffrey M. Gaba, B.A., J.D., M.P.H., M.D., Anderson Foundation Endowed Professor in Health Law
Christopher H. Hanna, B.S., J.D., LL.M. (in Taxation), Alan D. Feld Endowed Professor of Law and Alshuler University Distinguished Teaching Professor
Patricia S. Heard, B.A., J.D., Senior Lecturer in Law
Marc A. Hubbard, B.S., J.D., Adjunct Clinical Professor of Law, Patent Law Clinic
JoAnn A. Hubbard, B.S., J.D., Senior Lecturer in Law
Christopher M. Jenkins, B.S., J.D., LL.M., Ph.D. Candidate, Director of the Criminal Justice Clinic and Assistant Professor of Law
Larry Jones, B.B.A., J.D., LL.M. (Taxation), Adjunct Clinical Professor of Law, Federal Tax Clinic
Jeffrey Kahn, B.A., M.Phil., D.Phil., J.D., Professor of Law
Ndiva Kofele-Kale, B.A., M.A., Ph.D., J.D., University Distinguished Professor and Professor of Law
Henry J. Lischer Jr., B.B.A., J.D., LL.M. (Taxation), Professor Emeritus of Law
John S. Lowe, B.A., LL.B., George W. Hutchison Professor of Energy Law
George A. Martinez, B.A., M.A., J.D., Professor of Law
Thomas Wm. Mayo, B.A., J.D., Alshuler University Distinguished Teaching Professor and Associate Professor of Law
Orly Sulami Mazur, B.B.A., M.P.A., J.D., LL.M. (Taxation), Assistant Professor of Law
Mike McCollum, B.A., J.D., Adjunct Clinical Professor of Law, Criminal Justice Clinic
Joseph W. McKnight, B.A., B.C.L., M.A., LL.M., Larry and Jane Harlan Faculty Fellow Emeritus and Professor Emeritus of Law*
Charles J. Morris, B.A., LL.B., Professor Emeritus of Law
Frederick C. Moss, A.B., J.D., LL.M., Professor Emeritus of Law
John J. Mylan, B.S., J.D., LL.M. (in Taxation), Professor Emeritus of Law
Natalie Nanasi, B.A., J.D., Director of the Judge Elmo B. Hunter Legal Center for Victims of Crimes Against Women and Lecturer in Law
Joseph Jude Norton, A.B., LL.B., LL.M, S.J.D., D.Phil., LL.D., LL.D., James L. Walsh Distinguished Faculty Fellow and Professor in Financial Institutions Law
Victoria Palacios, J.D., Associate Professor of Law
Kenneth L. Penegar, A.B., J.D., LL.M., Professor Emeritus of Law
Chante Prox, B.S., M.J.S., J.D., Director of the VanSickle Family Law Clinic and Lecturer in Law
Roark M. Reed, B.S., B.A., J.D., Professor Emeritus of Law
W. Keith Robinson, B.S., J.D., Co-Director of the Tsai Center for Law, Science and Innovation and Assistant Professor of Law
C. Paul Rogers III, B.A., J.D., LL.M., Professor of Law and Former Dean
Meghan Ryan, A.B., J.D., Associate Professor of Law
Eliot Shavin, B.A., J.D., Adjunct Clinical Professor of Law, Civil Clinic
Mary B. Spector, B.S., J.D., Associate Dean for Clinics and Professor of Law, Director of Consumer Advocacy Project, and Co-Director of the Civil Clinic
Walter W. Steele Jr., LL.B., Professor Emeritus of Law
Marc I. Steinberg, A.B., J.D., LL.M., Rupert and Lillian Radford Chair in Law

* d. Nov. 30, 2015
Heather L. Stobaugh, B.A., M.A., J.D., Senior Lecturer in Law
Diane M. Sumoski, B.A., J.D., Director of the W.W. Caruth, Jr. Child Advocacy Clinic and Lecturer in Law
Joshua C. Tate, B.A., M.A., M.Phil. J.D., Ph.D., Associate Professor of Law
David O. Taylor, B.S., J.D., Co-Director of the Tsai Center for Law, Science and Innovation and Assistant Professor of Law
Walter Theiss, M.B.A., J.D., Adjunct Clinical Professor of Law, Small Business & Trademark Clinic
Elizabeth G. Thornburg, B.A., J.D., Senior Associate Dean for Academic Affairs and Richard R. Lee Endowed Professor of Law
Jenia Iontcheva Turner, B.A., J.D., Professor of Law
Jonni Walls, B.A., J.D., Senior Lecturer in Law
Jessica Dixon Weaver, B.A., J.D., Associate Professor of Law
Harvey Wingo, B.A., M.A., J.D., Vinson & Elkins Distinguished Teaching Fellow Emeritus and Professor Emeritus of Law
Peter Winship, B.A., LL.B., LL.M., J.S.D., Candidate, James Cleo Thompson, Sr., Trustee Professor of Law