

TRANSPORTATION LAW JOURNAL

INDUSTRY LEADER IN MULTI-MODAL LAW, ECONOMICS & POLICY

UNIVERSITY OF DENVER • COLLEGE OF LAW

ARTICLES

Aviation Safety in Crisis: The Option of The
International Financial Facility for Aviation Safety
(IFFAS)

John Saba

International Responsibility in Preventing the Spread
of Communicable Diseases Through Air Carriage –
The SARS Crisis

Ruwantissa Abeyratne

The Ten Worst Transportation Industry Employer
Mistakes 2001-2003

JoAnne Ray

VOLUME 30 • NUMBER 1 • FALL 2002





UNIVERSITY OF DENVER COLLEGE OF LAW
TRANSPORTATION LAW JOURNAL

The *Transportation Law Journal* is a major professional publication in the field of transportation law, and is dedicated to maintaining its position as a valuable working tool for the practicing bar, government, and the academic community. It addresses both domestic and international developments of legal, regulatory, economic and political interest in all modes of transportation—aviation/airports, motor, rail, maritime, aerospace, and pipelines, freight forwarders, and brokers.

The *Transportation Law Journal* is sponsored jointly by the Transportation Law Program of the University of Denver College of Law and the Transportation Lawyers Association, the largest bar association of its kind in the United States and Canada.

The *Transportation Law Journal* is published three times a year, summer, fall, and spring, by the students of the University of Denver College of Law. Fourth class postage paid at Lincoln, Nebraska, and at additional mailing offices.

Correspondence should be addressed to *Transportation Law Journal*, University of Denver College of Law, 2255 E. Evans Avenue, Room 448, Denver, Colorado 80208; (303) 871-6162. FAX: (303) 871-6165. E-mail: tlj@student.law.du.edu. Advertising rates are available on request.

Inquiries regarding submission of manuscripts for publication should be addressed to the Editor in Chief. All manuscripts are carefully considered by the Board of Editors, which reserves the right to make final publication decisions. Manuscript preparation instructions are available on request.

The opinions expressed herein do not necessarily reflect the views of the *Transportation Law Journal*, the University of Denver, or the Transportation Lawyers Association.

TRANSPORTATION LAW JOURNAL

Volume 30

2002

No. 1

Copyright © 2002 by the Transportation Law Journal

TABLE OF CONTENTS

ARTICLES

- Aviation Safety in Crisis: The Option of The International Financial
Facility for Aviation Safety (IFFAS)
John Saba..... 1
- International Responsibility in Preventing the Spread of Communicable
Diseases Through Air Carriage – The SARS Crisis
Ruwantissa Abeyratne..... 53
- The Ten Worst Transportation Industry Employer Mistakes 2001-2003
JoAnne Ray..... 81

RECEIVED

NOV 26 2004

UNIVERSITY OF DENVER
LAW LIBRARY

TRANSPORTATION LAW JOURNAL

Volume 30, No. 1, Spring 2002
Published by the American College of Transportation Attorneys

TABLE OF CONTENTS

ARTICLE

1. *State of the Industry Report: The Current Status of the Transportation Law Journal*
John J. ...

2. *State of the Industry Report: The Current Status of the Transportation Law Journal*
John J. ...

3. *State of the Industry Report: The Current Status of the Transportation Law Journal*
John J. ...

4. *State of the Industry Report: The Current Status of the Transportation Law Journal*
John J. ...

5. *State of the Industry Report: The Current Status of the Transportation Law Journal*
John J. ...

6. *State of the Industry Report: The Current Status of the Transportation Law Journal*
John J. ...

7. *State of the Industry Report: The Current Status of the Transportation Law Journal*
John J. ...

8. *State of the Industry Report: The Current Status of the Transportation Law Journal*
John J. ...

9. *State of the Industry Report: The Current Status of the Transportation Law Journal*
John J. ...

10. *State of the Industry Report: The Current Status of the Transportation Law Journal*
John J. ...

RECEIVED
MAY 28 2004
UNIVERSITY OF DENVER
LAW LIBRARY

TRANSPORTATION LAW JOURNAL

ASSOCIATION

2003-2004

Editor in Chief

REGGY SHORT

Managing Editor

KIMBERLY MARTIN

Business Editor

SARAH EHRLICH

Senior Articles Editor

OMOLOLA OLUGBILE

Technical Editors

SHAWN GILLUM

MICHELLE MCDONALD

DANIEL STILES

JAMES SHEEHAN

Staff

TARYN LEWIS

JESSICA RAMIREZ

LISA LABADIE

ANTHONY RYAN

JENNIFER DIVINE

BERRY WHITE

MELISSA PETER

OSMAN NAWAZ

SEAN F. KENNEDY

JEFFREY LEAKE

LEIA URSERY

NAOMI PERERA

DANA TOM

BRIAN WILSON

PHIL DECARO

OWEN BISHOP

ERIK DULLEA

CHESSA BIERI

Faculty Advisors

STEVEN KROPP

ROBERT HARDAWAY

TRANSPORTATION LAW JOURNAL

2004-2005

Editor in Chief

H. BERRY WHITE, IV

Business Editor

DANA TOM

Managing Editor

ANTHONY M. RYAN

Senior Articles Editor

JENNIFER MULLENBACH

Technical Editors

CHESA BIERI

PHIL DeCARO

JENNIFER DIVINE

LISA LABADIE

OSMAN NAWAZ

Staff Editors

BUCK BELTZER

OWEN BISHOP

JONATHAN REED BRITT

ERIK M. DULLEA

KELLY FISCHER

NICHOLAS DE LA GARZA

JESSICA GOLDSTEIN

CRYSTAL GORDON

JEFFREY LEAKE

MATTHEW LINTON

PRISCILLA J. LOEW

NAOMI PERERA

MELISSA E. PETER

MIKE PIMENTEL

JAY L. RAFTERY, JR

CECILA REYNA

LINDSEY SABEC

ROBB SCHROER

STEPHEN WICHERN

GINNY WILKS

BRIAN WILSON

Faculty Advisor

ROBERT HARDAWAY

TRANSPORTATION LAWYERS ASSOCIATION

EXECUTIVE COMMITTEE MEMBERS

OFFICERS

President	<i>Robert E. McFarland</i>
President-Elect	<i>Catherine A. Pawluch</i>
First Vice President	<i>Kathleen C. Jeffries</i>
Second Vice President	<i>Brian J. Smith</i>
Secretary-Treasurer	<i>Greg E. Summy</i>
Immediate Past President	<i>Fritz R. Damm</i>

Representatives-at-Large

Patricia O'Connell Alvarez
Peter A. McLauchlan
Steven W. Block
Christopher C. McNatt, Jr.
Frank C. Botta
Carlos Sesma
John S. Hunter
Gordon D. McAuley

Past Presidents

<i>Edward S. Brashers</i>	<i>Jack B. Josselson</i>	<i>James M. Doherty</i>
<i>Perry R. Moore</i>	<i>George S. Dixon</i>	<i>John S. Fesseden</i>
<i>James W. Wrape</i>	<i>Wentworth E. Griffin</i>	<i>Harold D. Miller, Jr.</i>
<i>Franklin Van Osdel</i>	<i>Howell Ellis</i>	<i>Wilmer B. Hill</i>
<i>August W. Heckman</i>	<i>Edwin C. Reminger</i>	<i>Frank W. Taylor</i>
<i>Carl V. Kretsinger</i>	<i>Ewell H. Muse Jr.</i>	<i>A. Charles Tell</i>
<i>Harris J. Klein Jr.</i>	<i>Phineas Stevens</i>	<i>Richard H. Champlin</i>
<i>Truman A. Stockton, Jr.</i>	<i>Beverley S. Simms</i>	<i>Michael J. Ogborn</i>
<i>Glenn W. Stephens</i>	<i>John L. Bruemer</i>	<i>Kim D. Mann</i>
<i>Harold G. Hernly</i>	<i>John L. Jandera</i>	<i>Richard P. Kissinger</i>
<i>Donald A. Morken</i>	<i>Leroy Hallman</i>	<i>David R. Parker</i>
<i>Lee Reeder</i>	<i>Walter N. Bieneman</i>	<i>Mark J. Andrews</i>
<i>Marion F. Jones</i>	<i>Alvin J. Meiklejohn, Jr.</i>	<i>Edward J. Kiley</i>
<i>Regan Sayers</i>	<i>James W. Hagar</i>	<i>Alex M. Lewandowski</i>
<i>S. Harrison Kahn</i>	<i>Thomas E. James</i>	<i>William D. Taylor</i>
<i>Franklin R. Overmyer</i>	<i>Bertman S. Silver</i>	<i>David B. Schneider</i>
<i>Louis Tarlowski</i>	<i>John A. Vuono</i>	<i>James F. Flint</i>
<i>Louis E. Smith</i>	<i>James C. Hardman</i>	<i>Ann M. Pougiles</i>
<i>Robert E. Powell</i>	<i>Robert D. Schuler</i>	<i>W. Robert Alderson</i>
<i>Kenneth R. Hoffman</i>	<i>*Francis E. Barrett Sr., Honorary</i>	



UNIVERSITY OF DENVER COLLEGE OF LAW

ADMINISTRATIVE OFFICERS

Daniel L. Ritchie, A.B., M.B.A., Chancellor
Robert Coombes, Ph.D., Provost
Craig Woody, B.A., Vice Chancellor for Financial Affairs/Treasurer
Carol Farmsworth, M.A., Vice Chancellor for Communications
Mary Ricketson, B.A., J.D., Dean of the College of Law
J. Robert "Jay" Brown, B.A., M.A., Ph.D., J.D., Associate Dean for Academic Affairs
Gary L. Alexander, B.A., M.L.L., J.D., Asst. Dean of Information Services and Library
Director
David Ricciardi, B.S., Registrar
Iain Davis, B.A., Financial Aid Director
Keryn Goldstein, B.A., Chief Financial Officer
Sheila Green, B.A., M.A.L.S., Reference Librarian
Martha Keister, A.B., M.A., M.L.S., International Law Librarian
Stephen Favreau, Masters, B.A., Asst. Dean of Administration
Lauri A. Mlinar, Director of Events
Nancy P. Nones, B.A., Administrator, International Legal Studies
Laura Dean, B.A., Director of Alumni Relations
Robin A. Ricker, B.S., Program Coordinator, Graduate Tax Program
Patty Powell, B.A., J.D., Dean of Student Services
Julie Field and Robert Yegge, Co-Directors, Clinical Programs, Assoc. Professor of Law
Forrest Stanford, B.A., J.D., Director of Admissions
Tim Henderson, B.A., M.S., J.D., Director of Career Services

FACULTY

Thomas A. Barnes, Jr., B.A., J.D., Lecturer
William M. Beaney, A.B., LL.B., Ph.D., Emeritus Professor of Law
Arthur Best, A.B., J.D., Professor of Law
Andrea Bloom, B.A., J.D., Lecturer
Jerome Borison, B.S., J.D., LL.M., Associate Professor of Law
Burton F. Brody, B.S.C., J.D., LL.M., Professor of Law
J. Robert "Jay" Brown, Jr., B.A., M.A., Ph.D., J.D., Associate Professor of Law
Penelope Bryan, B.S., M.A., J.D., Assistant Professor of Law
John A. Carver, Jr., A.B., LL.B., LL.D., Emeritus Professor of Law
Federico Cheever, B.A., M.A., J.D., Assistant Professor of Law
Alan K. Chen, B.A., J.D., Assistant Professor of Law
Christine Cimini, B.A., J.D., Assistant Professor of Clinical Programs
Alfred J. Coco, B.A., J.D., M.L.L., Emeritus Professor of Law
Roberto L. Corrada, B.A., J.D., Assistant Professor of Law
Tami D. Cowden, B.A., J.D., Lecturer
Edward A. Dauer, A.B., LL.B., Dean Emeritus and Professor of Law
Paul Stephen Dempsey, A.B.J., J.D., LL.M., D.C.L. Professor of Law and Former Director,
Transportation Law Program
Kate Duba, B.A., J.D., Lecturer
K.K. DuVivier, B.A., J.D., Assistant Professor & Director of Lawyering Process Program
Nancy S. Ehrenreich, B.A., J.D., LL.M., Assistant Professor of Law
Martha M. Ertman, A.B., J.D., Visiting Assistant Professor of Law
Robert M. Hardaway, B.A., J.D., Professor of Law
Christopher Gehring, B.A., J.D., Lecturer
J. Wadine Gehrke, B.A., J.D., Assistant Professor of Clinical Programs
Jeffrey H. Hartje, B.A., J.D., Associate Professor of Law
Timothy M. Hurley, B.A., J.D., Lecturer
Sheila K. Hyatt, B.A., J.D., Professor of Law and Associate Dean for Academic Affairs
Sam Kamin, B.A., J.D., Ph.D., Assistant Professor of Law
Martin Katz, A.B., J.D., Assistant Professor of Law
Stephen Kropp, B.A., J.D., LL.M. Visiting Associate Professor, New Director, Transportation
Law Program
Francis W. Jamison, B.A., J.D., Professor of Law
Jan G. Laitos, B.A., J.D., S.J.D., Professor of Law and Director of Natural Resources Program

Harry O. Lawson, B.A., M.S., Professor of Judicial Administrations and Director, Master of Science in Legal Administration Program
Neil O. Littlefield, B.S., LL.B., LL.M., S.J.D., Emeritus Professor of Law
Lucy A. Marsh, B.A., J.D., Professor of Law
Michael G. Massey, B.A., J.D., Lecturer
Ved P. Nanda, B.A., M.A., LL.B., LL.M., Thompson G. Marsh Professor of Law and Director, International Legal Studies Program
Julie A. Nice, B.A., J.D., Assistant Professor of Law
Stephen L. Pepper, A.B., J.D., Professor of Law
Deana Pollard
George W. "Rock" Pring, B.A., J.D. Professor of Law
John H. Reese, B.A., LL.B., LL.M., S.J.D., Professor of Law
Paula R. Rhodes, B.A., J.D., Associate Professor of Law
Edward J. Roche, Jr., B.B.A., J.D., Professor of Law
Howard I. Rosenberg, B.A., LL.B., Professor of Law
Thomas Russell, B.A., M.A., J.D., PhD., Professor of Law
Ann Scales
John T. Soma, B.A., M.A., JFD., Ph.D., Professor of Law
Mary A. Steefel, B.A., J.S., LL. M., Lecturer
Joyce S. Sterling, B.A., M.A., Ph.D., Professor of Law
Celia R. Taylor, B.A., J.D., Assistant Professor of Law
Dan Vigil
Mark A. Vogel, B.B.A., J.D., LL.M., Associate Professor of Law and Director, Graduate Tax Program
Timothy B. Walker, A.B., M.A., J.D., Emeritus Professor of Law
James E. Wallace, A.B., LL.B., B.D., Ph.D., Emeritus Professor of Law
Tony Waters
James L. Winokur, B.A., LL.B., Professor of Law
Robert B. Yegge, A.B., M.A., J.D., Dean Emeritus and Professor of Law
Edward H. Ziegler, Jr., B.A., J.D., LL.M., Professor of Law