

## Steven L. Osit

Steven Osit primarily represents public entities with respect to the development and operation of airports and rail transit systems. He has served multiple posts within the U.S. Department of Transportation, including the representation of the Federal Aviation Administration in investigations before the National Transportation Safety Board and in litigation, and advising the Office of the Secretary on legal matters pertaining to the economic regulation of airports and air carriers. As a former Honors Attorney with the Department, Steven also gained experience with the Federal Transit Administration and the Federal Railroad Administration.

During law school, Steven worked as a law clerk in the Office of Aviation and Admiralty Litigation in the U.S. Department of Justice. Prior to law school, he was the Director of Information Technology at a prominent college in New York City. Steven is a certificated private pilot.

### Representative Experience

#### Airport Projects

##### Outside Counsel to Airport Sponsors

Represented various airport sponsors in proceedings under Part 13 and Part 16 of the Federal Aviation Regulations as well as informal challenges regarding rates and charges imposed by ordinance, revenue diversion, access restrictions, and unjust discrimination among aeronautical users; advised various airport sponsors on opposing development projects in nearby jurisdictions or at neighboring airports deemed detrimental to the sponsors' and airport users' interests

##### Airways International, Ltd.

Represented foreign air navigation services provider in negotiating its license of proprietary software to the FAA to aid in the FAA's selection of air traffic controller candidates

##### Clark County, Nevada

Advised the sponsor of the McCarran International Airport and the Henderson Executive Airport regarding the accommodation of alternative air carrier business models and irregular services

##### Delaware River and Bay Authority, Delaware

Represented the sponsor of the Cape May Airport in connection with a land use compliance inspection conducted by the FAA and associated follow-up as well as matters pertaining to the use of unmanned aerial systems in the vicinity of the Airport

##### Heber City, Utah

Represent the sponsor of the Heber City Municipal Airport



### Associate

Denver Office  
202.955.5600  
Washington, DC Office  
202.955.5600  
sosit@kaplankirsch.com

### Areas of Practice

Airports  
Legislative Drafting and  
Lobbying  
Litigation  
Rail, Transit, Highways, and  
Infrastructure  
Unmanned Aircraft Systems /  
Drones

### Education

M.S., Embry-Riddle  
Aeronautical University, 2016  
J.D., *cum laude*, Benjamin N.  
Cardozo School of Law, 2012  
B.A., *magna cum laude*, Hunter  
College, 2009

### Bar and Court Admissions

Colorado  
District of Columbia  
New York  
U.S. District Court for the  
Southern District of New York  
United States Court of Appeals  
for the D.C. Circuit  
United States Supreme Court



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regarding various disputes with its dominant fixed-based operator and other airport tenants, and in revising the Airport's governing documents to comport with best practices

### **Muslim Advocates**

Provided *pro bono* assistance to Muslim Advocates, a national legal advocacy and educational organization, in connection with various airlines who were denied boarding to lawful permanent residents and visa holders traveling to the United States in response to Executive Orders issued by President Trump

### **Transit and Highway Projects**

#### **Commuter Rail Authorities**

Represent various public commuter rail authorities regarding their statutory and/or contractual rights to operate over Amtrak territory, various negotiations with Amtrak and other host railroads, and the regulatory status and classification of operating entities and railroad lines

#### **Atlanta Development Authority, Georgia**

Represented Atlanta BeltLine, Inc. (ABI) and Atlanta Development Authority (ADA) in proceedings at the Surface Transportation Board addressing—and ultimately confirming—the process by which ABI and ADA acquired a railroad line for use in developing ABI's "emerald necklace" around the City

#### **Abertis Infraestructuras S.A.**

Advised foreign investor in connection with its due diligence concerning the toll-setting methodology on a private toll-road concession in connection with its indicative bid

#### **Capitol Corridor Joint Powers Authority, California**

Represent the Capitol Corridor Joint Powers Authority in proceedings at the FRA, in the U.S. Court of Appeals for the D.C. Circuit in connection with the FRA's System Safety Plan rulemaking, and in various proceedings before the Surface Transportation Board in connection related to the cost sharing methodology mandated by Passenger Rail Investment and Improvement (PRIIA) for state-supported intercity passenger routes

#### **Santa Clara Valley Transportation Authority, California**

Represent the Santa Clara Valley Transportation Authority in establishing a pilot program under the FRA's Hours of Service Laws

#### **State of Delaware**

Represent the State of Delaware in a challenge to an order of the Surface Transportation Board that found Delaware's law limiting unnecessary locomotive idling preempted under the Interstate Commerce Commission Termination Act

#### **South Florida Regional Transportation Authority, Florida**

Represented the Transportation Authority with respect to an



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investigation by the NTSB regarding a grade-crossing accident involving an Amtrak train operating on the rail corridor managed by the Authority

## Professional and Civic Activities

- Associate Member Representative, ACI-NA Legal Committee Steering Group (2019)
- Federal Bar Association, Transportation and Transportation Security Law Section (Chair-Elect 2018; Board Member 2015–2018; Editor, *TransLaw* 2015–2016)
- American Bar Association, Forum on Air & Space Law (Technology Chair 2015–2017; Law Student Liaison 2010–2012)
- Aircraft Owners and Pilots Association

## Publications

Airport Law Alert - FAA Proposes Drone Remote ID Rule  
01.06.20

The View from the Ground: Airport and Community Perspectives on ATC Reform  
August 2017

Come Fly With(out) Me: Unmanned Aircraft Systems in Public Transportation  
07.29.16

The FAA's New Small UAS Rule: What Airport Sponsors and Local Governments Need to Know  
06.23.16

Recent Developments in Aviation and Space Law  
Winter 2015

If You See Something...Say Something Materially True: Air Wisconsin v. Hooper and Immunity Under the Aviation and Transportation Security Act  
2014

## News

Attorney Steven Osit Invited to Join ACI-NA's Legal Affairs Committee Steering Group  
12.10.18

Kaplan Kirsch & Rockwell Hosts 34th Annual Airport Law Workshop  
10.28.18

Kaplan Kirsch & Rockwell Hosts 33rd Annual Airport Law Workshop  
10.17.17



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UPDATED – Colorado Judge Addresses First Amendment  
Issues Raised by Muslim Ban Protesters at Denver International  
Airport  
03.15.17

Court of Appeals Rejects Challenge to City of Albuquerque's  
ART Bus Rapid Transit Project  
12.13.16

Kaplan Kirsch & Rockwell Hosts 32nd Annual Airport Law  
Workshop  
11.15.16

Latest News on FAA Reauthorization  
07.14.16

Kaplan Kirsch & Rockwell Welcomes New Associate Steven Osit  
11.23.15

## **Presentations**

Confronting COVID-19  
04.02.20

Safety, Security, and Tort Liability  
10.15.19

Regulating Drones (UAS) Around Airports  
10.15.19

Safety, Security, and Tort Liability  
10.30.18

Sponsor Obligations Part 2: Grant Assurances Affecting Airport  
Development  
10.29.18

Safety, Security, and Tort Liability  
10.17.17

Disruptive Business Models: Uber, Scheduled Charter  
Operators, and Spacecraft  
11.15.16

Ethics: Representing a Client in a Fishbowl  
11.15.16

Unmanned Aircraft in the Rail Industry  
07.19.16

Commuter Rail Update  
06.19.16

Unmanned Aircraft Systems: Transmission & Distribution



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04.19.16

Unmanned Aircraft Systems for the Rail Industry  
04.18.16

Recent Developments in Aviation and Space Law  
10.23.15