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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO AERONAUTICS -- T.F. GREEN AIRPORT

Introduced By: Senators McCaffrey, Lynch Prata, and Calkin

Date Introduced: March 01, 2018

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 1-2 of the General Laws entitled "Airports and Landing Fields" is
2 hereby amended by adding thereto the following section:

3 **1-2-22. Rhode Island international airport.**

4 The state airport located in the city of Warwick known as Theodore Francis Green state
5 airport or T.F. Green state airport, shall hereafter be officially named and known as "Rhode
6 Island International Airport".

7 SECTION 2. Sections 1-2-1.1, 1-2-7, 1-2-16, 1-2-17, 1-2-17.2, 1-2-18 and 1-2-21 of the
8 General Laws in Chapter 1-2 entitled "Airports and Landing Fields" are hereby amended to read
9 as follows:

10 ~~**1-2-1.1. Powers relating to vehicular traffic accessing airport facilities -- T.F. Green**~~
11 ~~**state airport. Powers relating to vehicular traffic accessing airport facilities -- Rhode Island**~~
12 ~~**international airport**~~

13 (a) (1) The Rhode Island airport corporation is authorized:

14 (i) To impose charges on customers of rental companies, as defined in § 31-34.1-1, who
15 directly or indirectly use Warwick Station or the ~~T.F. Green state airport~~ Rhode Island
16 international airport, at the rates that the Rhode Island airport corporation may deem necessary to
17 provide adequate revenue to pay all costs of constructing, reconstructing, expanding,
18 reconfiguring, operating, and maintaining Warwick Station regardless of whether those charges
19 may have an anticompetitive effect; and

1 (ii) To regulate the access of vehicular traffic to airport properties including by excluding
2 one or more classes of vehicular traffic from accessing portions of airport roadways, parking lots,
3 curbsides and other vehicular facilities.

4 (2) Nothing in this section shall be construed to limit the authority of Rhode Island
5 airport corporation to impose other fees, charges, rates, or rentals including any other fees,
6 charges, rates, or rentals imposed on rental companies or to adopt other regulations.

7 (b) All customer facility charges collected under the authority of paragraph (a)(1)(i) of
8 this section and all customer facility charges collected by any rental company from customers
9 under color of those provisions, or pursuant to regulations adopted by the airport corporation,
10 constitute a trust fund for the airport corporation until paid. That trust is enforceable against: (1)
11 the rental company; (2) any officer, agent, servant, or employee of any rental company
12 responsible for either the collection or payment, or both, of the customer facility charge; (3) any
13 person receiving any part of the fund without consideration, or knowing that the rental company
14 or any officer, agent, servant, or employee of any rental company is committing a breach of trust;
15 and (4) the estates, heirs, and representatives of persons or entities described in subdivisions (1) --
16 (3) of this subsection; provided, that a customer to whom a refund has been properly made, or any
17 person who receives payment of a lawful obligation of the rental company from that fund, is
18 presumed to have received that amount in good faith and without any knowledge of the breach of
19 trust.

20 (c) If the airport corporation or any officer of the corporation believes that the payment to
21 the airport corporation of the trust fund established under subsection (b) of this section will be
22 jeopardized by delay, neglect, or misappropriation, the airport corporation or officer shall notify
23 the rental company that the trust fund shall be segregated, and kept separate and apart from all
24 other funds and assets of the rental company and shall not be commingled with any other funds or
25 assets. The notice shall be given by either hand delivery or by registered mail, return receipt
26 requested. Within four (4) days after the sending of the notice, all of the customer facility charges
27 which thereafter either become collectible or are collected shall be deposited daily in any
28 financial institution in the state as defined in title 19 and those customer facility charges
29 designated as a special fund in trust for the airport corporation and payable to the airport
30 corporation by the rental company as trustee of that fund.

31 (d) The penalty for misappropriations provided by § 44-19-37 shall apply as though that
32 section referred to "customer facility charge" in each place where it refers to "tax".

33 (e) The provisions of subsections (b), (c), and (d) of this section are not exclusive, and are
34 in addition to all other remedies which the airport corporation may employ in the enforcement

1 and collection of customer facility charges.

2 **1-2-7. Leases, concessions, and licenses.**

3 (a) The department of transportation may lease any portion of any airport or landing field
4 owned or operated by the state or any of the buildings or structures erected on any airport or
5 landing field and grant concessions upon portions of any airport or landing field owned or
6 operated by the state for a period not exceeding five (5) years, with or without renewal options for
7 a like period, in the manner prescribed by § 37-7-9. Where a substantial building, renovation,
8 improvement, or addition to an existing building is to be constructed for any airport or
9 aeronautical service, activity, purpose, or function or any allied service, activity, purpose, or
10 function, the department may lease in the manner provided in § 37-7-9 any portion of any airport
11 or landing field owned or operated by the state for a period not exceeding thirty (30) years.

12 (b) In all department leases, concessions, licenses, and in all landing fee schedules
13 imposed by the department, provisions shall be included requiring a graduated scale of payments
14 designed to encourage take-offs and landings between the hours of 6:30 a.m. and midnight (12:00
15 a.m.). Any landings occurring after midnight (12:00 a.m.) and before 6:30 a.m. because of
16 conditions beyond the control of the airlines and/or aircraft operator are not subject to any
17 additional landing fees.

18 (c) The department shall include a provision in all leases, licenses, and concessions
19 requiring aircraft landing at ~~Theodore Francis Green State Airport~~ [Rhode Island international](#)
20 [airport](#):

21 (1) To be equipped with noise and emission abatement devices as required by federal law
22 or regulation in effect on July 1, 1985; and

23 (2) By January 1, 1989, to be equipped with noise and emission abatement devices as
24 contained in federal aviation regulation, part 36, noise standards: aircraft type and airworthiness
25 certification scheduled to take effect on January 1, 1989.

26 **1-2-16. Noise and emissions directives.**

27 The director is directed to issue operating procedures and directives requiring that aircraft
28 utilizing ~~Theodore Francis Green State Airport~~ [Rhode Island international airport](#), to the greatest
29 extent possible, commensurate with passenger safety and federal law and regulation, minimize
30 the use of reverse engine thrust employed to slow an aircraft as it lands.

31 **1-2-17. Payment for compensation for municipal services to the city of Warwick.**

32 The Rhode Island airport corporation, from a parking surcharge at the ~~T.F. Green state~~
33 ~~airport~~ [Rhode Island international airport](#) as defined by a 1988 agreement between the state acting
34 by and through the director of transportation and the city of Warwick, shall pay to the city of

1 Warwick out of the parking revenue received at ~~T.F. Green state airport~~ [Rhode Island](#)
2 [international airport](#) as compensation for municipal services provided at ~~T.F. Green state airport~~
3 [Rhode Island international airport](#) a sum of not less than two hundred seventy-five thousand
4 dollars (\$275,000) for fiscal year 1994 payable quarterly; for each fiscal year after 1994, this sum
5 may be reviewed and/or renegotiated by the mayor of the city of Warwick and the airport
6 corporation, but in no event will the sum be less than five hundred thousand dollars (\$500,000) in
7 any fiscal year beginning after 1993 and before 2005, or less than seven hundred fifty thousand
8 dollars (\$750,000) in any fiscal year beginning after 2004, provided any payments provided or
9 any portion of these payments is not disapproved by the F.A.A. In the event that the F.A.A.
10 disapproves this payment from the airport corporation, the state shall pay to the city of Warwick
11 the sums of money required to insure that the city of Warwick receives five hundred thousand
12 dollars (\$500,000).

13 **1-2-17.2. Municipal services at T.F. Green airport.**

14 (a) The municipal services to be provided to the ~~T.F. Green airport~~ [Rhode Island](#)
15 [international airport](#) as referenced in § 1-2-17 shall include, but not be limited to:

16 (1) Providing primary response and command for all structure fire alarms on the airport
17 corporation property outside the airfield, and E-911 reporting system calls for extrications,
18 industrial accidents, motor vehicle accidents, confined-space incidents, hazardous-material
19 incidents and spills outside the airfield, and secondary response to airfield incidents on Rhode
20 Island airport corporation property;

21 (2) Responding to and providing treatment and transportation for all emergency medical
22 service calls on Rhode Island airport corporation property; and

23 (3) Maintaining a mutual aid agreement to respond to any potential catastrophe or
24 emergency resulting from airport operations.

25 (b) Nothing in this section shall be construed to limit the jurisdiction of the state police in
26 connection with response to or command of any emergency incident on the airport corporation
27 property.

28 **1-2-18. Parking fees in support of satellite airports.**

29 (a) Moneys due and payable to the state from any increase in parking fees at the ~~T.F.~~
30 ~~Green state airport~~ [Rhode Island international airport](#), beyond those in effect May 1, 1991, shall
31 be deposited in a restricted-receipt account entitled "parking fees in support of airports".

32 (b) The receipts annually transferred to the account in support of the operations of
33 airports shall not exceed the amount approved by the general assembly. Revenues in excess of the
34 amount approved by the general assembly for expenditures shall be recorded as general revenue

1 of the state and transferred to the general fund.

2 **1-2-21. Payment for compensation for municipal services to state airports.**

3 (a) The Rhode Island airport corporation shall, subject to the approval of the Federal
4 Aviation Administration, reimburse any municipality for the cost of municipal services provided
5 by the municipality at any airport constructed or operated by the state upon receipt of appropriate
6 documentation from the municipality in accordance with the requirements of the Federal Aviation
7 Administration's Policy and Procedures Concerning the Use of Airport Revenue, Section V
8 (Permitted Uses of Airport Revenue). D. Standard of Documentation for the Reimbursement to
9 Government Entities of Costs of Services and Contributions Provided to Airports 64 Fed. Reg.
10 7996.7719 (1999).

11 (b) This section shall not apply to the city of Warwick or ~~T.F. Green state airport~~ [Rhode](#)
12 [Island international airport](#).

13 (c) The municipal services to be provided to the airports as referenced in subsection (a)
14 shall include, but not be limited to:

15 (1) Providing primary response and command for all structure fire alarms on the airport
16 corporation property outside the airfield and E-911 reporting system calls for extrications,
17 industrial accidents, motor vehicle accidents, confined-spaced incidents, hazardous-material
18 incidents and spills outside the airfield, and secondary response to airfield incidents on Rhode
19 Island airport corporation property;

20 (2) Responding to and providing treatment and transportation for all emergency medical
21 service calls on Rhode Island airport corporation property; and

22 (3) Maintaining a mutual aid agreement to respond to any potential catastrophe or
23 emergency resulting from airport operations.

24 (d) Nothing in this section shall be construed to limit the jurisdiction of the state police in
25 connection with response to, or command of, any emergency incident on the airport corporation
26 property.

27 SECTION 3. Sections 1-5-1 and 1-5-2 of the General Laws in Chapter 1-5 entitled
28 "Permanent Noise Monitoring Act - Aircraft Operations Monitoring System" are hereby amended
29 to read as follows:

30 **1-5-1. Establishment and installation of aircraft operations monitoring system.**

31 (a) The Rhode Island airport corporation is authorized and directed to coordinate with the
32 federal aviation administration to complete a memorandum of agreement between the Rhode
33 Island airport corporation and the federal aviation administration (FAA) to provide for the
34 continuing acquisition of air traffic control radar records related to the operation of civil aircraft

1 at ~~T.F. Green airport~~ [Rhode Island international airport](#).

2 (b) The Rhode Island airport corporation is authorized and directed to install an aircraft
3 operations monitoring system (AOMS) which shall be capable of providing detailed and
4 summary information related to the operation of aircraft at and in the vicinity of T.F. Green
5 airport. The AOMS shall be capable of plotting and displaying over area mapping the ground-
6 projected flight tracks and related altitudes of aircraft which use the airport. The system shall be
7 capable of displaying flight tracks of individually identified aircraft based on time and location of
8 operation. The system shall have the capability to produce data files in both digital and hard copy
9 format.

10 (c) The AOMS shall further be capable of producing summary reports which shall, at a
11 minimum:

12 (1) Relate aircraft location data derived from air traffic control radar with individual
13 activity events, based on time and location within the airport environs;

14 (2) Produce summary reports which disclose the use of runways by type of operation
15 (landings or takeoffs), time of day, aircraft user group, and any other groupings which may from
16 time to time become desirable at the option of the system user; and

17 (3) Disclose the activity levels by aircraft types, including, but not limited to, operations
18 by Part 36 stage, operations by jet and propeller-powered aircraft, by air carrier or private
19 operators, all presented by periods of time selected by the system operator.

20 (d) The AOMS reports shall be capable of expansion to provide additional data relating to
21 flight track or corridor utilization, air traffic fix usage, and other information which may become
22 desirable as a result of noise abatement and land use compatibility planning.

23 (e) The AOMS shall be procured and in effect by June 30, 1999. Provided, that if the
24 Rhode Island airport corporation is unable to complete a memorandum of agreement with the
25 FAA as provided for in subsection (a) of this section by June 30, 1999, and the inability is not due
26 to inaction by the corporation, then the director of the corporation may request the general
27 assembly to extend the June 30, 1999 date as appropriate.

28 **1-5-2. Copies of reports to government entities.**

29 The Rhode Island airport corporation will prepare a report on a quarterly basis pertaining
30 to the volume and quantity and flight track of air traffic at the ~~T.F. Green airport~~ [Rhode Island
31 international airport](#) in the city of Warwick, occurring during each quarter being reported on.
32 These reports shall be submitted on a quarterly basis in each and every calendar year to: the office
33 of the governor; the office of the president of the senate; the office of the senate minority leader;
34 the office of the speaker of the house; the office of the house minority leader; and the Rhode

1 Island department of environmental management and the mayors of the cities of Warwick and
2 Cranston.

3 The report will include the total number of aircraft landings and departures, by aircraft
4 type and time of day; an analysis of the amount of total usage of the runways during the reporting
5 period; actual deviation from approved Part 150 departure and arrival flight paths by percent,
6 runway, airline and time; and other information as may be desirable to ensure compliance with
7 approved noise abatement and land use compatibility plans.

8 SECTION 4. Section 1-6-1 of the General Laws in Chapter 1-6 entitled "Warwick
9 Airport Parking District" is hereby amended to read as follows:

10 **1-6-1. Definitions.**

11 As used in this chapter:

12 (1) "Administrator" means the state tax administrator.

13 (2) "District" means the Warwick airport parking district, being the district that runs from
14 a point on Main Avenue in the city of Warwick at the southerly boundary of ~~T.F. Green state~~
15 ~~airport~~ [Rhode Island international airport](#), and westerly along Main Avenue to a point one-third
16 (1/3) mile west of the intersection of Main Avenue with Post Road; turning thence northerly
17 running along a line parallel to and one-third (1/3) mile west of Post Road to a point one mile
18 north of the line of Airport Road; thence turning east running along a line parallel to and one-
19 third (1/3) mile north of the line of Airport Road to Warwick Avenue; thence turning south along
20 Warwick Avenue to Airport Road; thence turning west along Airport Road to the boundary of
21 ~~T.F. Green state airport~~ [Rhode Island international airport](#); thence running southerly along the
22 boundary of ~~T.F. Green state airport~~ [Rhode Island international airport](#) to the point of beginning.
23 If any parking facility (including entrances, driveways, or private access roads) is constructed
24 partly within the district as so defined, the entire facility shall be treated as though within the
25 district.

26 (3) "Operator" means any person providing transient parking within the district.

27 (4) "Permit fee" means the fee payable annually by an operator to the tax administrator in
28 an amount equal to ten dollars (\$10.00) for each space made, or to be made, available by the
29 operator for transient parking during the period of a permit's effectiveness, but not more than two
30 hundred fifty dollars (\$250) for each permit.

31 (5) "Transient parking" means any parking for motor vehicles at a lot, garage, or other
32 parking facility within the district for which a fee is collected by the operator, but excludes:

33 (i) Parking for which the fee is charged and paid on a monthly or less frequent basis;

34 (ii) Parking for any employee of the operator of the facility;

1 (iii) Parking provided by any hotel or motel for registered guests;

2 (iv) Parking provided by validation or having a validated rate, where the person providing
3 the validation does not maintain a place of business at ~~T.F. Green state airport~~ [Rhode Island](#)
4 [international airport](#).

5 (6) "Transient parking receipts" means the gross receipts collected by an operator
6 (excluding the surcharge imposed by this chapter) in consideration of the provision of transient
7 parking.

8 SECTION 5. Sections 1-7-1 and 1-7-2 of the General Laws in Chapter 1-7 entitled "The
9 Permanent Air Quality Monitoring Act" are hereby amended to read as follows:

10 **1-7-1. Long-term air-quality-monitoring program.**

11 (a) The Rhode Island airport corporation (RIAC) shall design, acquire, install, operate
12 and maintain a long-term air-quality-monitoring program in the vicinity of ~~T.F. Green airport~~.
13 [Rhode Island international airport](#) The corporation may hire a consultant to perform these tasks.

14 (b) The monitoring program shall provide for the monitoring of all of the following:

15 (1) Particulate matter, including only particles less than 0.1 microns, and black carbon.

16 (2) [Deleted by P.L. 2017, ch. 220, § 1 and P.L. 2017, ch. 320, § 1].

17 (3) [Deleted by P.L. 2017, ch. 220, § 1 and P.L. 2017, ch. 320, § 1].

18 (c) (1) The design of the monitoring program shall:

19 (i) Include an implementation schedule for the components of the monitoring program set
20 forth in subsection (b); and

21 (ii) Assure the quality and meaningfulness of the monitoring data; and

22 (iii) Be set forth in a draft work plan developed, in consultation with the department of
23 environmental management and the department of health.

24 (2) The consultation with the department of environmental management and the
25 department of health shall include, but not be limited to:

26 (i) Ensuring that peer review is employed in the development of an air-quality-monitoring
27 strategy;

28 (ii) Providing the corporation with unbiased reviews of current, validated scientific
29 knowledge relevant to air-quality monitoring and public health impacts;

30 (iii) Assisting with the review of work plans and reports;

31 (iv) Evaluating and comparing the corporation's proposed methodologies, quality-
32 assurance procedures and monitoring criteria, with other relevant monitoring efforts mandated by
33 either state or federal law in order to ensure consistency and comparability among the
34 methodologies and criteria.

1 (d) The draft work plan and the final work plan shall describe and justify with reasonable
2 specificity all significant aspects of the monitoring program, including, but not limited to: quality
3 assurance procedures and a description and justification of the number, type, and location of the
4 ambient air-quality monitors to be installed as part of the long-term monitoring program. The
5 ambient air-quality monitors shall be set up in a network that shall include at least four (4)
6 monitoring sites and shall be designed to measure air-quality impacts from airport operations,
7 including those associated with planes operating on the extended runway and on neighborhoods
8 adjacent to the airport facility, as well as at the Winslow Park playing fields.

9 (e) Notwithstanding the consultation requirement, the draft work plan shall be submitted
10 to the department of environmental management and the department of health within thirty (30)
11 days of the effective date of this section for review and comment, pursuant to chapter 35 of title
12 42. The departments shall provide comments within thirty (30) days of receipt of the draft work
13 plan. Following the departments' review and comment period, the draft work plan shall be made
14 available for review and comment by members of the general public, and the air-quality-
15 monitoring public advisory committee, established by this chapter, pursuant to chapter 35 of title
16 42. Adoption of the final work plan by the corporation shall be in accordance with chapter 35 of
17 title 42. The final work plan shall be submitted to the governor, the speaker of the house of
18 representatives, and the president of the senate by the corporation no later than October 30, 2007.

19 (f) The final work plan and all revised final work plans shall include a reasonable
20 evaluation of funding sources, such as federal grants, that may be available to the corporation to
21 cover some or all of the costs of the air-quality monitoring.

22 (g) Amendments to the final work plan may be proposed by the corporation in
23 consultation with the department of environmental management and the department of health on
24 or before March 30, 2009, and every March 30, thereafter. Amendments to the final work plan
25 may also be proposed by the department of environmental management, the department of health,
26 and/or the air-quality-monitoring public advisory committee on or before January 31, 2009, and
27 every January 31, thereafter. Any proposed amendments to the final work plan shall be available
28 for review and comment by members of the general public, and the air-quality-monitoring public
29 advisory committee established by this chapter, pursuant to chapter 35 of title 42. The purposes of
30 proposed amendments to the final work plan are: (1) To allow the corporation, in consultation
31 with the department of environmental management and the department of health, to consider any
32 adaptations that may be indicated by the data collected from the previous year, including whether
33 new monitoring technologies, methodologies, or criteria are necessary; and (2) To make
34 necessary adjustments to the program based on changes to state and/or federal regulations. Any

1 proposed amendments to the final work plan shall be incorporated into a "revised [as of this date]
2 final work plan" document, upon approval of the corporation, and shall be submitted to the
3 governor, the speaker of the house of representatives, and the president of the senate by the
4 corporation no later than January 1 of each year.

5 (h) Long-term air-quality monitors will be procured and in effect by December 30, 2007.
6 Interim monitoring shall be performed until such time as the long-term monitoring program is in
7 place, and the use of all data generated therefrom shall conform with the reporting requirements
8 set forth in § 1-7-6(b).

9 **1-7-2. Legislative findings.**

10 The general assembly hereby finds and declares as follows:

11 (a) ~~T.F. Green airport~~ [Rhode Island international airport](#) is located in a densely populated,
12 primarily residential area of the city of Warwick.

13 (b) Many of the airport operations and activities result in emissions of a number of air
14 pollutants, which may be harmful to public health.

15 (c) Emissions of concern include, but are not limited to, those associated with "take-off"
16 and "landing" activities of aircraft and emissions associated with the use of diesel engine ground
17 support equipment.

18 (d) A long-term air quality monitoring program is necessary to collect the data needed to
19 evaluate the impact of the airport emissions on air quality and public health.

20 SECTION 6. Sections 22-7.4-47 and 22-7.4-58 of the General Laws in Chapter 22-7.4
21 entitled "Permanent Joint Committee on Naming All New Buildings, Bridges, Edifices and Other
22 State Constructions" are hereby amended to read as follows:

23 **22-7.4-47. The Bruce Sundlun Terminal Building.**

24 The airport terminal building at ~~T.F. Green Airport~~ [Rhode Island international airport](#) in
25 the city of Warwick shall be named and known as the Bruce Sundlun Terminal Building.

26 **22-7.4-58. Bruce Sundlun Road.**

27 The access road to ~~T.F. Green Airport~~ [Rhode Island international airport](#) from Post Road
28 (U.S. Route 1) to the airport terminal in the city of Warwick shall be named and known as the
29 Bruce Sundlun Road.

30 SECTION 7. Section 25-3-3 of the General Laws in Chapter 25-3 entitled "Work on
31 Holidays and Sundays" is hereby amended to read as follows:

32 **25-3-3. Work on Sundays or holidays.**

33 (a) Work performed by employees on Sundays and holidays must be paid for at least one
34 and one-half (1 1/2) times the normal rate of pay for the work performed; provided: (1) that it is

1 not grounds for discharge or other penalty upon any employee for refusing to work upon any
2 Sunday or holiday enumerated in this chapter; (2) any manufacturer which operates for seven (7)
3 continuous days per week is exempt from the requirement of subdivision (1).

4 (b) Any manufacturer of wall-covering products which operates for seven (7) continuous
5 days per week, twenty-four (24) hours per day, and has complied with the provisions of
6 subsection (a) is exempt from the requirement that the work be voluntary on Sundays as provided
7 in subsection (a); provided, that the manufacturer increases employment by at least ten percent
8 (10%), within one year of its conversion to continuous operation from non-continuous operation.

9 (c) Any manufacturer that operates three (3) shifts, or begins its work week on Sundays,
10 may begin the shift or start the work week at 11:00 P.M. on Sunday and not be required to pay its
11 employees one and one-half (1 1/2) times the normal rate of pay during the one hour period
12 between 11:00 P.M. Sunday and 12 midnight.

13 (d) Any and all employees of a chauffeur driven limousine or taxi cab company that
14 operates seven (7) continuous days per week, twenty-four (24) hours per day are exempt from the
15 provisions of subsection (a) hereof.

16 (e) Any car rental company which operates a car rental agency at ~~T.F. Green Airport~~
17 [Rhode Island international airport](#) and is required pursuant to its lease agreement with the Rhode
18 Island Airport Corporation to operate on Sundays and/or holidays is exempt from the provisions
19 of subsection (a) hereof with respect to work performed at its ~~T.F. Green Airport~~ [Rhode Island](#)
20 [international airport](#) location.

21 SECTION 8. Section 39-14.2-19 of the General Laws in Chapter 39-14.2 entitled
22 "Transportation Network Company Services" is hereby amended to read as follows:

23 **39-14.2-19. Airport Corporation Authority.**

24 Notwithstanding the provisions of § 39-14.2-18, the Rhode Island airport corporation, or
25 any successor entity authorized to oversee and control the property of ~~T.F. Green airport~~ [Rhode](#)
26 [Island international airport](#) and any other state airport, shall have the authority to establish
27 reasonable regulations governing TNC operators offering TNC services on airport property
28 through proper amendment of the corporation's ground transportation rules or by entering into
29 operating agreements with TNCs.

30 SECTION 9. Section 39-18-24 of the General Laws in Chapter 39-18 entitled "Rhode
31 Island Public Transit Authority" is hereby amended to read as follows:

32 **39-18-24. John J. MacDonald, Jr. Transportation Initiative.**

33 (a) The Rhode Island public transit authority is authorized and directed, in consultation
34 with the division of public utilities and carriers and the governor's commission on disabilities, to

1 develop the "John J. MacDonald, Jr. Transportation Initiative" for a statewide federally funded
2 "New Freedom Program" to reduce barriers to transportation services and expand the
3 transportation mobility options available to people with disabilities that need wheelchair
4 accessible transportation beyond the requirements of the Americans with Disabilities Act (ADA)
5 of 1990, by September 30, 2010. The goal is to provide on demand wheelchair accessible taxicab
6 service throughout the state, and especially at ~~T.F. Green state airport~~ [Rhode Island international](#)
7 [airport](#) and the train stations.

8 (b) The administrator of the division of public utilities and carriers is authorized and
9 directed to issue a regional wheelchair taxicab certificate after a hearing, in accordance with the
10 provisions of chapter 42-35, the administrative procedures act, to any qualified applicant
11 therefore, authorizing the whole or any part of the operations covered by the application, if it is
12 found that the applicant is fit, willing, and able to properly perform the service proposed and to
13 conform to the provisions of chapter 39-14, and the requirements, orders, rules, and regulations of
14 the administrator thereunder, and that the proposed service, to the extent to be authorized by the
15 certificate, is or will be required by the present or future public convenience and necessity;
16 otherwise the application shall be denied.

17 (c) The Rhode Island public transit authority is authorized and directed:

18 (1) To adopt rules and regulations for the implementation of the John J. MacDonald, Jr.
19 transportation initiative; and

20 (2) Purchase up to (2) wheelchair accessible taxicabs for each regional wheelchair taxicab
21 or public motor vehicle certificate holder, utilizing New Freedom -- Safe Accountable Flexible
22 and Efficient Transportation Equity Act (23 U.S.C. § 101 et seq.), a legacy for users funds for
23 eighty percent (80%) of the cost. Said program or purchases thereunder shall be funded by federal
24 grants and private funds only and shall not have a negative financial impact on the Rhode Island
25 Public Transit Authority's operating budget. The operators of the wheelchair accessible taxicabs
26 shall be responsible for the twenty percent (20%) nonfederal match for purchase of the vehicles.

27 (d) The operators of the certified wheelchair accessible taxicabs or public motor vehicles,
28 and not the Rhode Island public transit authority, shall be responsible for all operating and
29 maintenance costs of the wheelchair accessible taxicabs or public motor vehicles.

30 (e) The Rhode Island public transit authority and the division of public utilities and
31 carriers is authorized and directed to begin implementation of the "John J. MacDonald, Jr.
32 Transportation Initiative" on or before January 1, 2011.

33 SECTION 10. Sections 42-64.32-1 and 42-64.32-3 of the General Laws in Chapter 42-
34 64.32 entitled "Air Service Development Fund" are hereby amended to read as follows:

1 **42-64.32-1. Legislative findings.**

2 It is hereby found and declared as follows:

3 (a) The development of additional scheduled air carrier and cargo services ("air service")
4 to ~~T.F. Green state airport~~ [Rhode Island international airport](#) is essential to improving the overall
5 economic climate of the state, attracting businesses, promoting tourism, and growing jobs. Such
6 additional air service is particularly important to advanced industries, industries characterized by
7 high levels of research and development expenditures and reliance on science, technology,
8 design, engineering, and mathematics workers.

9 (b) Providing incentives, revenue guarantees, and/or other support for new or additional
10 air service on new or additional routes is an important step in meeting these economic
11 development goals.

12 (c) An air service development fund provides flexibility in increasing and providing
13 incentives for air service to ~~T.F. Green state airport~~ [Rhode Island international airport](#) that the
14 Rhode Island airport corporation may otherwise not be able to finance under the regulations and
15 policies of the federal aviation administration. For that reason, this program is established
16 independently of, and unrelated to, the Rhode Island airport corporation.

17 **42-64.32-3. Air service development council.**

18 (a) The Rhode Island commerce corporation shall establish an air service development
19 council (the "council"), that shall have the authority and responsibility for entering into
20 agreements with scheduled air carriers and/or cargo carriers to provide direct financial incentives,
21 revenue guarantees, and/or other support to incentivize air service to ~~T.F. Green state airport~~
22 [Rhode Island international airport](#).

23 (b) The air service development council shall consist of the secretary of commerce, or his
24 or her designee, who shall serve as chair of the council, and four members appointed by the board
25 of the Rhode Island commerce corporation, at least one of whom shall have airport management
26 or air carrier experience, at least one of whom shall be a representative from a chamber of
27 commerce, and at least one of whom shall represent a business with more than one hundred (100)
28 employees located in Rhode Island. No member of the council shall be a director or employee of
29 the Rhode Island airport corporation. Members shall serve at the pleasure of the board of the
30 commerce corporation. The members shall not receive a salary but shall be reimbursed for any
31 necessary expenses incurred in the performance of their duties.

32 (c) The Rhode Island commerce corporation shall have the authority under this chapter to
33 enter into contracts providing for incentives, guarantees, and/or other support for new or
34 additional flights to ~~T.F. Green state airport~~ [Rhode Island international airport](#) by scheduled air

1 carriers or cargo carriers, provided that such contracts have been previously approved by the air
2 service development council. Such incentives, guarantees, and other support shall be financed
3 only with proceeds from the air service development fund established pursuant to § 42-64.32-2,
4 and not with any airport revenue, subject to regulation pursuant to the policies or regulations of
5 the federal aviation administration.

6 (d) The air service development council shall publish the criteria that it will use in
7 evaluating proposals or arrangements that further the purposes of this chapter. Such criteria shall
8 require, at a minimum, that to qualify for incentives a scheduled air carrier or cargo carrier must
9 commit to new or additional flights for an agreed-upon duration that represent an increase in
10 service.

11 (e) The air service development council may, at its discretion, provide incentives to
12 service to one scheduled air carrier or cargo carrier without offering identical incentives to other
13 scheduled air carriers or cargo carriers if doing so furthers the purposes of this chapter.

14 SECTION 11. This act shall take effect upon passage.

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LC004793
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO AERONAUTICS -- T.F. GREEN AIRPORT

- 1 This act would rename the state airport in Warwick to "Rhode Island International
- 2 Airport."
- 3 This act would take effect upon passage.

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LC004793
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