

AMENDMENT TO RULES COMMITTEE PRINT 118-

11

OFFERED BY MR. LANDSMAN OF OHIO

At the end of title VIII, add the following:

1 **SEC. ____ . COMMERCIAL GROUND TRANSPORTATION**

2 **RATES.**

3 (a) **IN GENERAL.**—Each commercial ground trans-
4 portation user of an airport shall be subject to the same
5 rates, fees, rentals. Any and all rates, fees, rentals and
6 other charges imposed on a commercial ground transpor-
7 tation user by an airport shall—

8 (1) have an essential nexus to a legitimate pub-
9 lic purpose;

10 (2) be roughly proportionate to the impact the
11 physical use has on airport facilities; and

12 (3) be no greater than necessary to cover the
13 costs of such impact of the physical use.

14 (b) **REQUIREMENTS.**—

15 (1) **BURDEN OF PROOF.**—When instituting
16 rates, fees, rentals, and other charges under this sec-
17 tion, an airport shall have the burden of proving
18 that such airport has met the requirements of sub-
19 section (a).

1 (2) COMPARABLE RULES, REGULATIONS, AND
2 CONDITIONS.—Each commercial ground transpor-
3 tation user of an airport (e.g., as a courtesy vehicle,
4 commercial user, or any other similar term) shall be
5 subject to such nondiscriminatory and substantially
6 comparable rules, regulations, and conditions and
7 provided equivalent access rights to the airport.

8 (3) CLASSIFICATIONS.—

9 (A) IN GENERAL.—An airport may make
10 reasonable classifications between users of the
11 airport, but any classification not rationally re-
12 lated to the safe operation of the airport, such
13 as those classifications based on presumed ben-
14 efits derived, degree of economic harm to the
15 airport, or anti-competitive motives, shall be
16 deemed unreasonable.

17 (B) ABILITY TO COMPETE.—Neither the
18 rules, regulations, and conditions applicable, or
19 the access rights provided, to a commercial
20 ground transportation user of an airport should
21 in purpose or effect impede, prevent, restrict, or
22 distort such commercial ground transportation
23 user of an airport's ability to compete with any
24 other users (including users controlled by the

1 airport) without a reasonable justification that
2 benefits the public interest.

3 (C) WITHHOLDING OF CLASSIFICATION.—
4 Classification or status as a specific type of
5 commercial ground transportation user shall
6 not be unreasonably withheld by any airport
7 provided a commercial ground transportation
8 user assumes obligations substantially like those
9 already imposed on other commercial ground
10 transportation users in such classification or
11 status.

12 (c) REPORT.—An airport shall provide to the Admin-
13 istrator of the Federal Aviation Administration a report
14 if such airport is unable to accommodate requests by any
15 users seeking access to the airport to provide ground
16 transportation services or expand ground transportation
17 services. Such report shall include the following:

18 (1) A summary of the request.

19 (2) An explanation why the request was denied
20 by the airport.

21 (3) A timeframe of when the airport will be able
22 to accommodate the request, if any.

