

AMENDMENT TO H.R. 4
OFFERED BY MR. ROYCE OF CALIFORNIA

At the end of title V, add the following:

1 **SEC. ____ . USE OF REVENUE.**

2 (a) WRITTEN ASSURANCES ON USE OF REVENUE.—

3 Section 47107(b) of title 49, United States Code, is
4 amended—

5 (1) in paragraph (1) by striking “(1) The Sec-
6 retary of Transportation” and inserting “(1) IN
7 GENERAL.—The Secretary of Transportation”;

8 (2) in paragraph (1)(B) by striking “or”;

9 (3) in paragraph (1)(C) by striking the period
10 at the end and inserting “; or”

11 (4) by inserting after paragraph (1)(C) the fol-
12 lowing:

13 “(D) in the case of revenue from covered taxes,
14 any project eligible for Federal assistance under title
15 23 or chapter 53 that is, in the sole discretion of the
16 Secretary—

17 “(i) in the immediate vicinity of the airport
18 from which the tax revenue is generated; and

1 “(ii) will significantly benefit airport oper-
2 ations, airport passengers, or other airport
3 users.”;

4 (5) in paragraph (2) by striking “(2) Para-
5 graph (1)” and inserting “(2) LIMITATION.—Para-
6 graph (1)”;

7 (6) in paragraph (3) by striking “(3) This sub-
8 section” and inserting “(3) NOISE MITIGATION.—
9 This subsection”;

10 (7) by adding at the end the following:

11 “(4) COVERED TAXES.—In this subsection, the term
12 ‘covered tax’ means a general sales tax on aviation fuel
13 that—

14 “(A) is imposed by a State or local government;

15 “(B) was in effect at any time during the pe-
16 riod beginning on December 8, 2014, and ending on
17 December 7, 2017;

18 “(C) was required to be adjusted to comply
19 with Federal law by December 8, 2017, as a result
20 of the Federal Aviation Administration’s policy
21 amendment to the Policy and Procedure Concerning
22 the Use of Airport Revenue (Docket No. FAA-2013-
23 0988) published on November 7, 2014 (79 F.R.
24 66282); and

1 “(D) is noticed to the Secretary by said the
2 State or local government as meeting the definition
3 of covered tax under this subsection not later than
4 90 days after the date of enactment of the FAA Re-
5 authorization Act of 2018.”.

6 (b) RESTRICTION ON USE OF REVENUES.—Section
7 47133 of title 49, United States Code, is amended—

8 (1) in subsection (a)(2) by striking “or”;

9 (2) in subsection (a)(3) by striking the period
10 at the end and inserting “; or”;

11 (3) by inserting after subsection (a)(3) the fol-
12 lowing:

13 “(4) in the case of revenue from covered taxes,
14 any project eligible for Federal assistance under title
15 23 or chapter 53 that is, in the sole discretion of the
16 Secretary—

17 “(A) in the immediate vicinity of the air-
18 port from which the tax revenue is generated;
19 and

20 “(B) will significantly benefit airport oper-
21 ations, airport passengers, or other airport
22 users.”; and

23 (4) by inserting at the end the following:

1 “(d) COVERED TAXES.—In this section, the term
2 ‘covered taxes’ means a general sales tax on aviation fuel
3 that—

4 “(1) is imposed by a State or local government;

5 “(2) was in effect at any time during the period
6 beginning on December 8, 2014, and ending on De-
7 cember 7, 2017;

8 “(3) was required to be adjusted to comply with
9 Federal law by December 8, 2017, as a result of the
10 Federal Aviation Administration’s policy amendment
11 to the Policy and Procedure Concerning the Use of
12 Airport Revenue (Docket No. FAA–2013–0988)
13 published on November 7, 2014 (79 F.R. 66282);
14 and

15 “(4) is noticed to the Secretary by said the
16 State or local government as meeting the definition
17 of covered tax under this section not later than 90
18 days after the date of enactment of the FAA Reau-
19 thorization Act of 2018.”.

