

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of Senate Bill No. 289

"TO AMEND THE REGIONAL AIRPORT ACT."

Amendment No. 1 to Senate Bill No. 289.

Amend Senate Bill No. 289 as originally introduced:

Delete SECTION 1 of the bill and substitute a new SECTION 1 as follows:

"SECTION 1. Arkansas Code 14-362-109(17) through (23), pertaining to the powers and duties of regional airport authorities, are amended to read as follows:

(17)(A) To promulgate rules and regulations, and to amend or change them from time to time as shall be deemed necessary, providing for the operation and parking of motor vehicles upon the grounds, streets, drives and alleys under its control, including, but not limited to, regulations:

(i) Limiting the rate of speed;

(ii) Assigning parking spaces and designating parking areas and their uses and collecting rent for those spaces;

(iii) Prohibiting parking as it deems necessary;

(iv) Removing vehicles parked in violation of authority rules and regulations or ordinances, at the expense of the violator, who shall pay the expense before the vehicle is released; and

(v) Collecting, under an established system, administrative charges for violations of authority rules and regulations governing motor vehicles, their operation and parking.

(B) However, an administrative finding of violation may be appealed to the appropriate municipal court where the matter shall be heard de novo.

(C) Rules and regulations, together with any amendments thereto, which may from time to time be adopted by an authority for the regulation of operation and parking of motor vehicles shall be recorded in the official minutes of the authority board and shall be printed, with copies available at convenient locations in the terminal building.

(D) Speed limits shall be posted at reasonable intervals, and traffic and parking directions and prohibitions shall be indicated by signs.

(E) From and after the promulgation of the rules and regulations, it shall be unlawful for any person to operate or to park a motor vehicle in violation thereof. Any person violating or refusing to comply with the rules and regulations shall be subjected to a reasonable administrative charge stated in the promulgated rules and regulations.

(F) Persons violating authority rules and regulations promulgated under this section, at the option of the authority law enforcement officer, shall be charged under the authority's system of charges or summoned to appear before any court of competent jurisdiction, to be dealt with according to law. A person adversely affected by any administrative determination as described shall have a right to appeal therefrom to the appropriate municipal court where the matter shall be heard de novo.

(G) Any fines, penalties, and forfeitures imposed by any court pursuant to this section shall be paid into the airport authority treasury for airport authority purposes and any court costs imposed and collected shall be disbursed pursuant to § 16-10-305;

~~(17)~~(18) To plan, establish, develop, construct, enlarge, improve, and maintain intermodal access roads providing service to the airport, together with related auxiliary services and facilities;

~~(18)(A)(i)~~(19)(A)(i) To fix, revise, charge, and collect tolls, access fees, ground transportation fees or other fees for vehicular use of ~~newly constructed intermodal access~~ any roads or other facilities owned by or providing service to the airport and to contract with any person, partnership, association, corporation, or organization desiring the use of any part of those roads, including the right-of-way adjoining the paved portion for placing their own telephone, telegraph, electric, light or power lines, motor fuel service stations, garages, restaurants, and other facilities or for any other purpose, and to fix the terms, conditions, rents, and rates of charges for that use.

(ii) However, public utilities, rural cooperatives, political subdivisions, and pipeline companies may construct and maintain crossings of ~~intermodal access~~ roads with their facilities, without charge, if the facilities are constructed and maintained in compliance with reasonable requirements of public safety and all costs of restoring the project to as good a condition as it was before being disturbed are paid by the owners of the facilities.

(B) The tolls and fees may be charged and collected from vehicles accessing or departing from the airport, and the authority is empowered to make reasonable classifications of vehicles for this purpose.

(C) The tolls and fees fixed by the authority shall not be subject to supervision or regulation by any other commission, board, bureau, or agency of the State of Arkansas;

~~(19)(A)~~(20)(A) To levy and collect a tax in an amount not to exceed the maximum amount per passenger allowed by the federal government on the boarding or disembarking of aircraft at the airport or airports of the authority.

(B) The tax shall be levied upon and collected from the passengers boarding or disembarking from the aircraft or the airlines operating the aircraft, and the authority is empowered to make reasonable classifications of passengers for this purpose;

~~(20)~~(21) To receive real and personal property from the United States for airport and related purposes by donation, purchase, lease, or otherwise, and subject to such conditions and requirements relating thereto as the United States Government may require and to which the authority may agree;

~~(21)~~(22) To apply to the proper authorities of the United States Government pursuant to appropriate law for the right to establish, operate, and maintain foreign trade zones within the area of jurisdiction of the member municipalities or counties, or both, and to establish, operate, and maintain

those foreign trade zones;

~~(22)~~(23) To promote, advertise, and publicize the authority and its facilities, to provide information to shippers, operators and other commercial interests, and to represent and promote the interests of the authority; and

~~(23)~~(24) To take such other action, not inconsistent with law, as may be necessary or desirable to carry out the powers and authorities conferred by this chapter and the intent and purposes of it."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator D. Malone

EN/VJF

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Secretary