

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S2/13/01 S3/1/01

A Bill

SENATE BILL 289

5 By: Senators D. Malone, Brown, Bisbee
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7

For An Act To Be Entitled

9 AN ACT TO AMEND THE REGIONAL AIRPORT ACT; AND FOR
10 OTHER PURPOSES.

Subtitle

13 TO AMEND THE REGIONAL AIRPORT ACT.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 *SECTION 1. Arkansas Code 14-362-109(17) through (23), pertaining to the*
19 *powers and duties of regional airport authorities, are amended to read as*
20 *follows:*

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

25 *(i) Limiting the rate of speed;*

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

28 *(iii) Prohibiting parking as it deems necessary;*

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

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

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

1 nov.

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

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

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

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

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

25 ~~(17)~~(18) To plan, establish, develop, construct, enlarge, improve, and
 26 maintain intermodal access roads providing service to the airport, together
 27 with related auxiliary services and facilities;

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

1 for that use.

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

9 (B) The tolls and fees may be charged and collected from vehicles
10 accessing or departing from the airport, and the authority is empowered to
11 make reasonable tolls and fees in accordance with industry standards and to
12 make reasonable classifications of vehicles for this purpose.

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

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

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

23 ~~(20)(21)~~ To receive real and personal property from the United States
24 for airport and related purposes by donation, purchase, lease, or otherwise,
25 and subject to such conditions and requirements relating thereto as the United
26 States Government may require and to which the authority may agree;

27 ~~(21)(22)~~ To apply to the proper authorities of the United States
28 Government pursuant to appropriate law for the right to establish, operate,
29 and maintain foreign trade zones within the area of jurisdiction of the member
30 municipalities or counties, or both, and to establish, operate, and maintain
31 those foreign trade zones;

32 ~~(22)(23)~~ To promote, advertise, and publicize the authority and its
33 facilities, to provide information to shippers, operators and other commercial
34 interests, and to represent and promote the interests of the authority; and

35 ~~(23)(24)~~ To take such other action, not inconsistent with law, as may
36 be necessary or desirable to carry out the powers and authorities conferred by

1 *this chapter and the intent and purposes of it.*

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3 SECTION 2. Arkansas Code 14-362-124(b)(1) is amended to read as
4 follows:

5 (b)(1) Within ~~one hundred twenty (120)~~ one hundred fifty (150) days
6 after the end of each fiscal year, each authority shall cause an annual audit
7 to be made by an independent certified public accountant and shall file a copy
8 of the resulting audit report with each of the governing bodies participating
9 in the authority. This audit shall contain an itemized statement of its
10 receipts and disbursements for the preceding year.

11 */s/ D. Malone*

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