



AMENDMENT NO. _____ Calendar No. _____

Purpose: To limit the regulation of non-federally sponsored property.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

S. 1405

To amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SULLIVAN

Viz:

- 1 At the end of title V, add the following:
- 2 **SEC. 5020. LIMITED REGULATION OF NON-FEDERALLY**
- 3 **SPONSORED PROPERTY.**
- 4 (a) IN GENERAL.—Except as provided in subsection
- 5 (b), the Secretary may not directly or indirectly regulate—
- 6 (1) the acquisition, use, lease, encumbrance,
- 7 transfer, or disposal of land by an airport owner or
- 8 operator;
- 9 (2) any facility upon such land; or
- 10 (3) any portion of such land or facility.

1 (b) EXCEPTIONS.—Subsection (a) does not apply to
2 any regulation—

3 (1) ensuing—

4 (A) the safe and efficient operation of air-
5 craft;

6 (B) that an airport owner or operator re-
7 ceives not less than fair market value in the
8 context of a commercial transaction for the use,
9 lease, encumbrance, transfer, or disposal of
10 land, any facilities on such land, or any portion
11 of such land or facilities; or

12 (C) that the airport pays not more than
13 fair market value in the context of a commer-
14 cial transaction for the acquisition of land or
15 facilities on such land; or

16 (2) imposed with respect to land or a facility
17 acquired using Federal funding.

18 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
19 tion shall be construed to affect the applicability of section
20 47107(b) or 47113 of title 49, United States Code, to rev-
21 enues generated by the use, lease, encumbrance, transfer,
22 or disposal of land under subsection (a), facilities upon
23 such land, or any portion of such land or facilities.