

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2189 Session of 2014

INTRODUCED BY MICCARELLI, KORTZ, BARRAR, MILLARD, SWANGER, MURT, WATSON AND MOUL, APRIL 17, 2014

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 17, 2014

AN ACT

1 Amending Title 74 (Transportation) of the Pennsylvania  
 2 Consolidated Statutes, in airport operation and zoning,  
 3 providing for rental vehicle fees and rental facility  
 4 improvements.

5 The General Assembly of the Commonwealth of Pennsylvania  
 6 hereby enacts as follows:

7 Section 1. Title 74 of the Pennsylvania Consolidated  
 8 Statutes is amended by adding a section to read:

9 § 5906. Rental vehicle fees and rental facility improvements.

10 (a) Authority to impose.--

11 (1) Rental vehicle fees may only be imposed by an  
 12 airport or airport authority on rental vehicle companies or  
 13 rental vehicle transactions for the purposes of funding the  
 14 reasonable estimated costs, as determined by an independent  
 15 financial analysis paid for by the airport, associated with  
 16 rental facility improvements, rental facility operations and  
 17 maintenance, or both.

18 (2) Upon the earlier of the date of the full  
 19 amortization of the debt service on indebtedness associated

1 with rental facility improvements, or the full amortization  
2 date for such indebtedness as set forth in the publicly  
3 disclosed amortization schedule presented at the outset of  
4 the project at an airport, the authority of an airport or  
5 airport authority to impose or collect the portion of any fee  
6 imposed to pay for the rental facility improvements shall  
7 expire.

8 (b) Public disclosure of indebtedness for rental facility  
9 improvements.--The terms and conditions of any indebtedness  
10 obtained to fund rental facility improvements shall be fully  
11 disclosed to the public at the outset of the project, which  
12 disclosure shall include a full amortization schedule.

13 (c) Definitions.--The following words and phrases when used  
14 in this section shall have the meanings given to them in this  
15 subsection unless the context clearly indicates otherwise:

16 "Concession agreement." An agreement, permit or license  
17 entered into between an operator of an airport or its governing  
18 entity and a rental vehicle company setting forth the terms and  
19 conditions under which the rental vehicle company may transact  
20 its rental business at the airport.

21 "Rental facility improvements." The planning, financing,  
22 design, construction, equipping or furnishing of facilities or  
23 structures that are designed for exclusive use by rental vehicle  
24 companies and their customers.

25 "Rental facility operations and maintenance." The costs and  
26 expenses incurred to operate and maintain rental facility  
27 improvements, as well as any other facilities, structures or  
28 mediums used exclusively by rental vehicle companies or their  
29 customers, including transportation methods to and from a common  
30 offsite vehicle rental facility.

1 "Rental vehicle company." A person or organization, or any  
2 subsidiary or affiliate, including a franchisee, in the business  
3 of providing rental vehicles to the public in this Commonwealth.

4 "Rental vehicle fees." Any new or modified fees or charges  
5 imposed exclusively or disproportionately on rental vehicle  
6 companies or rental vehicle transactions, including, without  
7 limitation, any access and use charge and any fee or charge  
8 required to be passed through to customers. The term does not  
9 include any fee or charge imposed under the terms of a  
10 concession agreement.

11 "Rental vehicle transaction." A transaction involving a  
12 motor vehicle conducted by a vehicle rental company and a  
13 customer thereof.

14 Section 2. This act shall take effect in 60 days.