

110TH CONGRESS
2D SESSION

S. 3150

To prohibit the Secretary of Transportation or the Administrator of the Federal Aviation Administration from conducting auctions, implementing congestion pricing, limiting airport operations, or charging certain use fees at airports.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2008

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To prohibit the Secretary of Transportation or the Administrator of the Federal Aviation Administration from conducting auctions, implementing congestion pricing, limiting airport operations, or charging certain use fees at airports.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Access to Air Travel
5 Act”.

1 **SEC. 2. PROHIBITION ON FEDERALLY-IMPOSED AUCTIONS**
2 **AND CONGESTION PRICING AT COMMERCIAL**
3 **AIRPORTS.**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, the Secretary of Transportation and the Ad-
6 ministrator of the Federal Aviation Administration may
7 not promulgate any regulation or take any action to regu-
8 late the scheduling of airline operations at any commercial
9 airport in the United States if such regulation or action
10 includes the Secretary or the Administrator—

11 (1) auctioning rights or permission to conduct
12 airline operations at such airport;

13 (2) implementing peak-period pricing or an-
14 other form of congestion pricing at such airport;

15 (3)(A) withdrawing the right or permission to
16 conduct operations at such airport (except for a
17 withdrawal for operational reasons or pursuant to
18 the terms or conditions of such right or permission);
19 or

20 (B) requiring a carrier to transfer any such
21 right or permission to another person;

22 (4) charging a fee for the right or permission
23 to use navigable airspace at such airport; or

24 (5) requiring, or providing incentives or dis-
25 incentives to, airport proprietors to take any of the
26 actions described in paragraphs (1) through (4).

1 (b) SAVINGS PROVISION.—Nothing in this Act may
2 be construed to limit the ability of a State, a political sub-
3 division of a State, or a political authority of more than
4 1 State that owns or operates a commercial airport from
5 carrying out its proprietary powers and rights.

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