

Sec.

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Editorial Notes

AMENDMENTS

2024—Pub. L. 118–63, title VII, §§ 725(b), 726(b), May 16, 2024, 138 Stat. 1269, 1271, which directed amendment of the analysis for subchapter I of this chapter by adding items 47145 and 47146, was executed by making the amendment to the analysis for this chapter, to reflect the probable intent of Congress.

Pub. L. 118–63, title II, § 218(d), title VII, §§ 723(c), 742(b), May 16, 2024, 138 Stat. 1055, 1267, 1279, struck out item 47131 “Annual report”, added items 47140 and 47142, and struck out former items 47140 “Increasing the energy efficiency of airport power sources” and 47142 “Design-build contracting”.

2018—Pub. L. 115–254, div. B, title I, §§ 140(b), 160(b), 166(c), title III, § 395(b), Oct. 5, 2018, 132 Stat. 3211, 3221, 3226, 3327, added items 47124a, 47136, 47140, and 47143, substituted “Airport investment partnership program” for “Pilot program on private ownership of airports” in item 47134, and struck out former item 47136 “Inherently low-emission airport vehicle pilot program”, item 47136a “Zero-emission airport vehicles and infrastructure”, former item 47140 “Airport ground support equipment emissions retrofit pilot program”, and item 47140a “Increasing the energy efficiency of airport power sources”.

2017—Pub. L. 115–31, div. K, title I, § 119F(b), May 5, 2017, 131 Stat. 735, which directed amendment of the analysis for this chapter by adding item 47144 after item 47143, was executed by adding item 47144 after item 47142 to reflect the probable intent of Congress, because no item for section 47143 has been enacted.

2012—Pub. L. 112–95, title I, § 148(b), title V, §§ 511(c), 512(b), Feb. 14, 2012, 126 Stat. 32, 108, 109, substituted “Resolution of disputes concerning airport fees” for “Resolution of airport-air carrier disputes concerning airport fees” in item 47129 and added items 47136a and 47140a.

2003—Pub. L. 108–176, title I, §§ 152(b), 158(b), 159(a)(2), 160(b), 181(b), title III, § 304(b), Dec. 12, 2003, 117 Stat. 2507, 2509, 2510, 2513, 2515, 2538, added items 47138 to 47142, subchapter III heading, and items 47171 to 47175.

2000—Pub. L. 106–181, title I, §§ 123(a)(2), 132(b), 133(b), 134(b), 135(d)(4), Apr. 5, 2000, 114 Stat. 74, 81–83, 85, struck out item 47132 “Pavement maintenance”, added items 47135 to 47137, and substituted “conveyances” for “gifts” in item 47152.

1996—Pub. L. 104–264, title I, §§ 142(c), 147(c)(2), 149(a)(2), title VIII, § 804(c), Oct. 9, 1996, 110 Stat. 3221, 3223, 3226, 3271, substituted “grant program” for “grant pilot program” in item 47128 and added items 47132, 47133, and 47134.

1994—Pub. L. 103–305, title I, §§ 113(b), 118(b), Aug. 23, 1994, 108 Stat. 1579, 1580, added items 47129 and 47130 and redesignated former item 47129 as 47131.

SUBCHAPTER I—AIRPORT IMPROVEMENT

§ 47101. Policies

(a) GENERAL.—It is the policy of the United States—

(1) that the safe operation of the airport and airway system is the highest aviation priority;

(2) that projects, activities, and actions that prevent runway incursions serve to—

(A) improve airport surface surveillance; and

(B) mitigate surface safety risks that are essential to ensuring the safe operation of the airport and airway system;

(3) that aviation facilities be constructed and operated to minimize current and projected noise impact on nearby communities;

(4) to give special emphasis to developing reliever airports;

(5) that appropriate provisions should be made to make the development and enhancement of cargo hub airports easier;

(6) to encourage the development of intermodal connections on airport property between aeronautical and other transportation modes and systems to serve air transportation passengers and cargo efficiently and effectively and promote economic development;

(7) that airport development projects under this subchapter provide for the protection and enhancement of natural resources and the quality of the environment of the United States;

(8) that airport construction and improvement projects that increase the capacity of facilities to accommodate passenger and cargo traffic be undertaken to the maximum feasible extent so that safety and efficiency increase and delays decrease;

(9) to ensure that nonaviation usage of the navigable airspace be accommodated but not allowed to decrease the safety and capacity of the airspace and airport system;

(10) that artificial restrictions on airport capacity—

(A) are not in the public interest;

(B) should be imposed to alleviate air traffic delays only after other reasonably available and less burdensome alternatives have been tried; and

(C) should not discriminate unjustly between categories and classes of aircraft;

(11) that special emphasis should be placed on converting appropriate former military air bases to civil use and identifying and improving additional joint-use facilities;

(12) that the airport improvement program should be administered to encourage projects that employ innovative technology (including integrated in-pavement lighting systems for runways and taxiways and other runway and taxiway incursion prevention devices), concepts, and approaches that will promote safety, capacity, and efficiency improvements in the construction of airports and in the air transportation system (including the development and use of innovative concrete and other materials in the construction of airport facilities to minimize initial laydown costs, minimize time out of service, and maximize

¹ So in original. Does not conform to section catchline.

lifecycle durability) and to encourage and solicit innovative technology proposals and activities in the expenditure of funding pursuant to this subchapter;

(13) that airport fees, rates, and charges must be reasonable and may only be used for purposes not prohibited by this subchapter; and

(14) that airports should be as self-sustaining as possible under the circumstances existing at each particular airport and in establishing new fees, rates, and charges, and generating revenues from all sources, airport owners and operators should not seek to create revenue surpluses that exceed the amounts to be used for airport system purposes and for other purposes for which airport revenues may be spent under section 47107(b)(1) of this title, including reasonable reserves and other funds to facilitate financing and cover contingencies.

(b) NATIONAL TRANSPORTATION POLICY.—(1) It is a goal of the United States to develop a national intermodal transportation system that transports passengers and property in an efficient manner. The future economic direction of the United States depends on its ability to confront directly the enormous challenges of the global economy, declining productivity growth, energy vulnerability, air pollution, and the need to rebuild the infrastructure of the United States.

(2) United States leadership in the world economy, the expanding wealth of the United States, the competitiveness of the industry of the United States, the standard of living, and the quality of life are at stake.

(3) A national intermodal transportation system is a coordinated, flexible network of diverse but complementary forms of transportation that transports passengers and property in the most efficient manner. By reducing transportation costs, these intermodal systems will enhance the ability of the industry of the United States to compete in the global marketplace.

(4) All forms of transportation, including aviation and other transportation systems of the future, will be full partners in the effort to reduce energy consumption and air pollution while promoting economic development.

(5) An intermodal transportation system consists of transportation hubs that connect different forms of appropriate transportation and provides users with the most efficient means of transportation and with access to commercial centers, business locations, population centers, and the vast rural areas of the United States, as well as providing links to other forms of transportation and to intercity connections.

(6) Intermodality and flexibility are paramount issues in the process of developing an integrated system that will obtain the optimum yield of United States resources.

(7) The United States transportation infrastructure must be reshaped to provide the economic underpinnings for the United States to compete in the 21st century global economy. The United States can no longer rely on the sheer size of its economy to dominate international economic rivals and must recognize fully that its economy is no longer a separate entity but is part of the global marketplace. The

future economic prosperity of the United States depends on its ability to compete in an international marketplace that is teeming with competitors but in which a full one-quarter of the economic activity of the United States takes place.

(8) The United States must make a national commitment to rebuild its infrastructure through development of a national intermodal transportation system. The United States must provide the foundation for its industries to improve productivity and their ability to compete in the global economy with a system that will transport passengers and property in an efficient manner.

(c) CAPACITY EXPANSION AND NOISE ABATEMENT.—It is in the public interest to recognize the effects of airport capacity expansion projects on aircraft noise. Efforts to increase capacity through any means can have an impact on surrounding communities. Noncompatible land uses around airports must be reduced and efforts to mitigate noise must be given a high priority.

(d) CONSISTENCY WITH AIR COMMERCE AND SAFETY POLICIES.—Each airport and airway program should be carried out consistently with section 40101(a), (b), (d), and (f) of this title to foster competition, prevent unfair methods of competition in air transportation, maintain essential air transportation, and prevent unjust and discriminatory practices, including as the practices may be applied between categories and classes of aircraft.

(e) ADEQUACY OF NAVIGATION AIDS AND AIRPORT FACILITIES.—This subchapter should be carried out to provide adequate navigation aids and airport facilities for places at which scheduled commercial air service is provided. The facilities provided may include—

(1) reliever airports; and

(2) heliports designated by the Secretary of Transportation to relieve congestion at commercial service airports by diverting aircraft passengers from fixed-wing aircraft to helicopter carriers.

(f) MAXIMUM USE OF SAFETY FACILITIES.—This subchapter should be carried out consistently with a comprehensive airspace system plan, giving highest priority to commercial service airports, to maximize the use of safety facilities, including installing, operating, and maintaining, to the extent possible with available money and considering other safety needs—

(1) electronic or visual vertical guidance on each runway;

(2) grooving or friction treatment of each primary and secondary runway;

(3) distance-to-go signs for each primary and secondary runway;

(4) a precision approach system, a vertical visual guidance system, and a full approach light system for each primary runway;

(5) a nonprecision instrument approach for each secondary runway;

(6) runway end identifier lights on each runway that does not have an approach light system;

(7) a surface movement radar system at each category III airport;

(8) a taxiway lighting and sign system;

- (9) runway edge lighting and marking;
- (10) radar approach coverage for each airport terminal area; and
- (11) runway and taxiway incursion prevention devices, including integrated in-pavement lighting systems for runways and taxiways.

(g) INTERMODAL PLANNING.—To carry out the policy of subsection (a)(6) of this section, the Secretary of Transportation shall take each of the following actions:

(1) COORDINATION IN DEVELOPMENT OF AIRPORT PLANS AND PROGRAMS.—Cooperate with State and local officials in developing airport plans and programs that are based on overall transportation needs. The airport plans and programs shall be developed in coordination with other transportation planning and considering comprehensive long-range land-use plans and overall social, economic, environmental (including long-term resilience from the impact of natural hazards and severe weather events), system performance, and energy conservation objectives. The process of developing airport plans and programs shall be continuing, cooperative, and comprehensive to the degree appropriate to the complexity of the transportation problems.

(2) GOALS FOR AIRPORT MASTER AND SYSTEM PLANS.—Encourage airport sponsors and State and local officials to develop airport master plans and airport system plans that—

- (A) foster effective coordination between aviation planning and metropolitan planning;
- (B) include an evaluation of aviation needs within the context of multimodal planning;
- (C) consider passenger convenience, airport ground access, and access to airport facilities;
- (D) are integrated with metropolitan plans to ensure that airport development proposals include adequate consideration of land use and ground transportation access; and
- (E) consider the impact of hazardous weather events on long-term operational resilience.

(3) REPRESENTATION OF AIRPORT OPERATORS ON MPO'S.—Encourage metropolitan planning organizations, particularly in areas with populations greater than 200,000, to establish membership positions for airport operators.

(h) CONSULTATION.—To carry out the policy of subsection (a)(7) of this section, the Secretary of Transportation may consult with the Secretary of the Interior and the Administrator of the Environmental Protection Agency about any project included in a project grant application involving the location of an airport or runway, or a major runway extension, that may have a significant effect on—

- (1) natural resources, including fish and wildlife;
- (2) natural, scenic, and recreation assets;
- (3) water and air quality; or
- (4) another factor affecting the environment.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1246; Pub. L. 103-305, title I, §§104, 110, Aug. 23, 1994, 108 Stat. 1571, 1573; Pub. L. 103-429, §6(62), Oct.

31, 1994, 108 Stat. 4385; Pub. L. 104-264, title I, §141, Oct. 9, 1996, 110 Stat. 3220; Pub. L. 106-181, title I, §§121(a), (b), 137(a), Apr. 5, 2000, 114 Stat. 74, 85; Pub. L. 112-95, title I, §131, Feb. 14, 2012, 126 Stat. 21; Pub. L. 118-63, title III, §347(a)(1), (2), title VII, §§701, 781, May 16, 2024, 138 Stat. 1104, 1245, 1302.)

HISTORICAL AND REVISION NOTES
PUB. L. 103-272

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47101(a)(1) ..	49 App.:2201(a)(1), (2).	Sept. 3, 1982, Pub. L. 97-248, §§502(a)(1)-(3), (6), (b), 509(b)(5) (1st sentence, last sentence words before 11th comma), 96 Stat. 671, 672, 684.
	49 App.:2201(a)(9).	Sept. 3, 1982, Pub. L. 97-248, §502(a)(9), 96 Stat. 672; Dec. 30, 1987, Pub. L. 100-223, §102(b)(1), (c)(1), 101 Stat. 1487.
	49 App.:2201(a)(10).	Sept. 3, 1982, Pub. L. 97-248, §502(a)(10), 96 Stat. 672; Dec. 30, 1987, Pub. L. 100-223, §102(b)(1), (c)(2), 101 Stat. 1487.
47101(a)(2) ..	49 App.:2201(a)(8).	Sept. 3, 1982, Pub. L. 97-248, §502(a)(8), 96 Stat. 672; Dec. 30, 1987, Pub. L. 100-223, §102(b)(1), 101 Stat. 1487.
47101(a)(3) ..	49 App.:2201(a)(6).	
47101(a)(4) ..	49 App.:2201(a)(7).	Sept. 3, 1982, Pub. L. 97-248, 96 Stat. 324, §502(a)(7); added Dec. 30, 1987, Pub. L. 100-223, §102(b)(2), 101 Stat. 1487.
47101(a)(5) ..	49 App.:2201(b) (1st sentence).	
47101(a)(6) ..	49 App.:2208(b)(5) (1st sentence).	
47101(a)(7) ..	49 App.:2201(a)(11).	Sept. 3, 1982, Pub. L. 97-248, 96 Stat. 324, §502(a)(11); added Dec. 30, 1987, Pub. L. 100-223, §102(c)(3), 101 Stat. 1488.
47101(a)(8) ..	49 App.:2201(a)(12).	Sept. 3, 1982, Pub. L. 97-248, 96 Stat. 324, §502(a)(12); added Dec. 30, 1987, Pub. L. 100-223, §102(c)(3), 101 Stat. 1488; Nov. 5, 1990, Pub. L. 101-508, §9109(a)(1), 104 Stat. 1388-356.
47101(a)(9) ..	49 App.:2201(a)(13).	Sept. 3, 1982, Pub. L. 97-248, 96 Stat. 324, §502(a)(13); added Dec. 30, 1987, Pub. L. 100-223, §102(c)(3), 101 Stat. 1488; Nov. 5, 1990, Pub. L. 101-508, §§9103(2), 9109(a)(2), 104 Stat. 1388-354, 1388-356.
47101(a)(10)	49 App.:2201(a)(14).	Sept. 3, 1982, Pub. L. 97-248, 96 Stat. 324, §502(a)(14); added Nov. 5, 1990, Pub. L. 101-508, §9109(a)(3), 104 Stat. 1388-356.
47101(b)	49 App.:2201(c).	Sept. 3, 1982, Pub. L. 97-248, 96 Stat. 324, §502(c), (d); added Oct. 31, 1992, Pub. L. 102-581, §101, 106 Stat. 4875.
47101(c)	49 App.:2201(d).	
47101(d)	49 App.:2201(a)(5).	Sept. 3, 1982, Pub. L. 97-248, §502(a)(5), 96 Stat. 671; Nov. 5, 1990, Pub. L. 101-508, §9103(1), 104 Stat. 1388-354.
47101(e)	49 App.:2201(a)(3), 49 App.:2202(a)(20).	Sept. 3, 1982, Pub. L. 97-248, §503(a)(20), 96 Stat. 674; Dec. 30, 1987, Pub. L. 100-223, §103(c)(1), 101 Stat. 1488.
47101(f)	49 App.:2201(a)(4).	Sept. 3, 1982, Pub. L. 97-248, §502(a)(4), 96 Stat. 671; Dec. 30, 1987, Pub. L. 100-223, §102(a), 101 Stat. 1487.
47101(g)	49 App.:2201(b) (2d, last sentences).	
47101(h)	49 App.:2208(b)(5) (last sentence words before 11th comma).	

In subsection (a), before clause (1), the text of 49 App.:2201(a)(2), (9), and (10) is omitted as executed. The

words “It is the policy of the United States” are substituted for “The Congress hereby . . . declares” in 49 App.:2201(a) (words before cl. (1)), “it is in the national interest” in 49 App.:2201(a)(12), “are not in the public interest and” in 49 App.:2201(a)(13), “It is declared to be in the national interest to” in 49 App.:2201(b), and “It is declared to be national policy that” in 49 App.:2208(b)(5) for consistency in the revised title and with other titles of the United States Code. In clause (1), the word “is” is substituted for “will continue to be” to eliminate unnecessary words. In clause (2), the words “with due regard” are omitted as surplus. In clause (3), the words “reliever airports make an important contribution to the movement of commerce through the airport and airway system” are omitted as executed. In clause (4), the words “cargo hub airports play a critical role in the movement of commerce through the airport and airway system” are omitted as executed. In clause (5), the words “and promote” are omitted as surplus.

In subsection (d), the word “to” is substituted for “with due regard for the goals expressed therein of” to eliminate unnecessary words.

In subsection (e), before clause (1), the words “The facilities provided may include” are substituted for “including” because of the restatement. Clause (2) is substituted for “reliever heliports” to incorporate the definition of that term from 49 App.:2202(a)(19) into this subsection.

In subsection (f), before clause (1), the words “the goal of” are omitted as surplus.

In subsection (g), the words “formulated” and “due” are omitted as surplus. The words “process of developing airport plans and programs” are substituted for “process” for clarity.

PUB. L. 103-429

This amends 49:47101(a)(12) to translate a cross-reference to the Airport and Airway Improvement Act of 1982 (Public Law 97-248, 96 Stat. 671) to the corresponding cross-reference of title 49, United States Code.

Editorial Notes

AMENDMENTS

2024—Subsec. (a)(2) to (14). Pub. L. 118-63, §347(a)(1), added par. (2) and redesignated former pars. (2) to (13) as (3) to (14), respectively.

Subsec. (g). Pub. L. 118-63, §347(a)(2)(A), substituted “subsection (a)(6)” for “subsection (a)(5)” in introductory provisions.

Subsec. (g)(1). Pub. L. 118-63, §701(1), inserted “(including long-term resilience from the impact of natural hazards and severe weather events)” after “environmental”.

Subsec. (g)(2)(E). Pub. L. 118-63, §701(2), added subpar. (E).

Subsec. (h). Pub. L. 118-63, §781, substituted “may consult” for “shall consult” in introductory provisions.

Pub. L. 118-63, §347(a)(2)(B), substituted “subsection (a)(7)” for “subsection (a)(6)” in introductory provisions.

2012—Subsec. (g)(2)(C), (D). Pub. L. 112-95 added subpar. (C) and redesignated former subpar. (C) as (D).

2000—Subsec. (a)(5). Pub. L. 106-181, §137(a), amended par. (5) generally. Prior to amendment, par. (5) read as follows: “to encourage the development of transportation systems that use various modes of transportation in a way that will serve the States and local communities efficiently and effectively.”

Subsec. (a)(11). Pub. L. 106-181, §121(a), inserted “(including integrated in-pavement lighting systems for runways and taxiways and other runway and taxiway incursion prevention devices)” after “employ innovative technology”.

Subsec. (f)(11). Pub. L. 106-181, §121(b), added par. (11). 1996—Subsec. (g). Pub. L. 104-264 substituted “INTER-MODAL PLANNING” for “COOPERATION” in heading and amended text generally. Prior to amendment, text read

as follows: “To carry out the policy of subsection (a)(5) of this section, the Secretary of Transportation shall cooperate with State and local officials in developing airport plans and programs that are based on overall transportation needs. The airport plans and programs shall be developed in coordination with other transportation planning and considering comprehensive long-range land-use plans and overall social, economic, environmental, system performance, and energy conservation objectives. The process of developing airport plans and programs shall be continuing, cooperative, and comprehensive to the degree appropriate to the complexity of the transportation problems.”

1994—Subsec. (a)(11). Pub. L. 103-305, §104, added par. (11).

Subsec. (a)(12). Pub. L. 103-429 substituted “subchapter” for “Act”.

Pub. L. 103-305, §110, added par. (12).

Subsec. (a)(13). Pub. L. 103-305, §110, added par. (13).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-181 applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as a note under section 106 of this title.

EFFECTIVE DATE OF 1996 AMENDMENT

Except as otherwise specifically provided, amendment by Pub. L. 104-264 applicable only to fiscal years beginning after Sept. 30, 1996, and not to be construed as affecting funds made available for a fiscal year ending before Oct. 1, 1996, see section 3 of Pub. L. 104-264, set out as a note under section 106 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-429 effective July 5, 1994, see section 9 of Pub. L. 103-429, set out as a note under section 321 of this title.

RUNWAY LENGTH IN ALASKA

Pub. L. 118-63, title III, §342(d), May 16, 2024, 138 Stat. 1100, provided that: “The Administrator [of the Federal Aviation Administration]—

“(1) may not restrict funding made available under chapter 471 of title 49, United States Code, from being used at an airport in Alaska to rehabilitate, resurface, or reconstruct the full length and width of an existing runway within Alaska based solely on reduced current or forecasted aeronautical activity levels or critical design type standards;

“(2) may not reject requests for runway projects at airports in Alaska if such projects address critical community needs, including projects—

“(A) that support economic development by expanding a runway to meet new demands; or

“(B) that preserve the length of runways used by aircraft to deliver necessary cargo, including heating fuel and gasoline, for the community served by the airport; and

“(3) shall, not later than 60 days after receiving a request for a runway rehabilitation or reconstruction project at an airport in Alaska, review each such request on a case-by-case basis.”

CONTINUOUS EVALUATION OF GROUND AND AIR TRAFFIC ACTIVITY AND RELATED INCIDENTS

Pub. L. 118-63, title III, §347(a)(3), May 16, 2024, 138 Stat. 1104, provided that: “In carrying out section 47101(a) of title 49, United States Code, as amended by this subsection, the Administrator [of the Federal Aviation Administration] shall establish a process to continuously track and evaluate ground traffic and air traffic activity and related incidents at airports.”

RUNWAY AND SURFACE SAFETY

Pub. L. 118-63, title III, §347(b)–(f), May 16, 2024, 138 Stat. 1104–1107, provided that:

“(b) RUNWAY SAFETY COUNCIL.—

“(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act [May 16, 2024], the Administrator [of the Federal Aviation Administration] shall establish a council, to be known as the ‘Runway Safety Council’ (in this section referred to as the ‘Council’), to develop a systematic management strategy to address airport surface safety risks.

“(2) DUTIES.—The duties of the Council shall include, at a minimum, advancing the development of risk-based, data driven, integrated systems solutions and strategies to enhance airport surface safety risk mitigation.

“(3) MEMBERSHIP.—

“(A) IN GENERAL.—In establishing the Council, the Administrator shall appoint at least 1 member from each of the following:

“(i) Airport operators.

“(ii) Air carriers.

“(iii) Aircraft operators.

“(iv) Avionics manufacturers.

“(v) Flight schools.

“(vi) The exclusive collective bargaining representative of aviation safety professionals for the FAA [Federal Aviation Administration] certified under section 7111 of title 5, United States Code.

“(vii) The exclusive bargaining representative of the air traffic controllers certified under section 7111 of title 5, United States Code.

“(viii) Other safety experts the Administrator determines appropriate.

“(B) ADDITIONAL MEMBERS.—The Administrator may appoint members representing any other stakeholder organization that the Administrator determines appropriate to the Runway Safety Council.

“(c) AIRPORT SURFACE SAFETY TECHNOLOGIES.—

“(1) IDENTIFICATION.—Not later than 6 months after the date of enactment of this Act, the Administrator shall, in coordination with the Council, consult with relevant stakeholders to identify technologies, equipment, systems, and process changes, that—

“(A) may provide airport surface surveillance capabilities at airports lacking such capabilities;

“(B) may augment existing airport surface detection and surveillance system; or

“(C) may improve onboard situational awareness for flight crewmembers, including technologies for use in an aircraft that—

“(i) reduce the risk of collision on the runway with other aircraft or vehicles;

“(ii) calculate safe landing distances; and

“(iii) prompt actions to bring the aircraft to a safe stop.

“(2) CRITERIA.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

“(A) based on the information obtained pursuant to paragraph (1)(A) and (1)(B), identify airport surface detection and surveillance systems that meet the standards of the FAA and may be able to—

“(i) provide airport surface surveillance capabilities at airports lacking such capabilities; or

“(ii) augment existing airport surface detection and surveillance systems, such as Airport Surface Detection System—Model X or the Airport Surface Surveillance Capability;

“(B) establish a timeline and action plan for replacing, maintaining, or enhancing the operational capability provided by existing airport surface detection and surveillance systems, and implementing runway safety technologies at airports without airport surface detection and surveillance systems, as needed, to improve runway safety;

“(C) based on the information obtained pursuant to paragraph (1)(C), identify safety technologies and systems in transport airplanes that meet the standards of the FAA that will—

“(i) enhance runway safety for transport airplanes that lack the capabilities of such technologies and systems, as appropriate; or

“(ii) augment existing onboard situational awareness runway traffic alerting and runway landing safety technologies installed on transport airplanes; and

“(D) establish clear and quantifiable criteria relating to operational factors, including ground traffic and air traffic activity and the rate of runway and terminal airspace safety events (including runway incursions), that determine when the installation and deployment of an airport surface detection or surveillance system, or other runway safety system (including runway status lights), at an airport is required.

“(3) DEPLOYMENT.—Not later than 5 years after the date of enactment of this Act, the Administrator shall ensure that airport surface detection and surveillance systems are deployed and operational at—

“(A) all airports described in paragraph (2)(A); and

“(B) all medium and large hub airports.

“(4) BRIEFING.—Not later than 3 years after the date of enactment of this Act, the Administrator shall brief the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives] on the progress of the deployment described in paragraph (3).

“(d) FOREIGN OBJECT DEBRIS DETECTION.—

“(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act [May 16, 2024], the Administrator shall assess, in coordination with the Council, automated foreign object debris monitoring and detection systems at not less than 3 airports that are using such systems.

“(2) CONSIDERATIONS.—In conducting the assessment under paragraph (1), the Administrator shall consider the following:

“(A) The categorization of an airport.

“(B) The potential frequency of foreign object debris incidents on airport runways or adjacent ramp areas.

“(C) The availability of funding for the installation and maintenance of foreign object debris monitoring and detection systems.

“(D) The impact of such systems on the airfield operations of an airport.

“(E) The effectiveness of available foreign object debris monitoring and detection systems.

“(F) Any other factors relevant to assessing the return on investment of foreign object debris monitoring and detection systems.

“(3) CONSULTATION.—In carrying out this subsection, the Administrator and the Council shall consult with manufacturers and suppliers of foreign object debris detection technology and any other relevant stakeholders.

“(e) RUNWAY SAFETY STUDY.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall seek to enter into appropriate arrangements with a federally funded research and development center to conduct a study of runway incursions, airport surface incidents, operational errors, or losses of standard separation of aircraft in the approach or departure phase of flight to determine how advanced technologies and future airport development projects may be able to reduce the frequency of such events and enhance aviation safety.

“(2) CONSIDERATIONS.—In conducting the study under paragraph (1), the federally funded research and development center shall—

“(A) examine data relating to recurring runway incursions, surface incidents, operational errors, or losses of standard separation of aircraft in the approach or departure phase of flight at airports to identify the underlying factors that caused such events;

“(B) assess metrics used to identify when such events are increasing at an airport;

“(C) assess available and developmental technologies, including and beyond such technologies considered in subsection (c), that may augment existing air traffic management capabilities of surface surveillance and terminal airspace equipment;

“(D) consider growth trends in airport size, staffing and communication complexities to identify—

“(i) future gaps in information exchange between aerospace stakeholders; and

“(ii) methods for meeting future near real-time information sharing needs; and

“(E) examine airfield safety training programs used by airport tenants and other stakeholders operating on airfields of airports, including airfield familiarization training programs for employees, to assess scalability to handle future growth in airfield capacity and traffic.

“(3) RECOMMENDATIONS.—In conducting the study required by paragraph (1), the federally funded research and development center shall develop recommendations for the strategic planning efforts of the Administration to appropriately maintain surface safety considering future increases in air traffic and based on the considerations described in paragraph (2).

“(4) REPORT TO CONGRESS.—Not later than 90 days after the completion of the study required by paragraph (1), the Administrator shall submit to the appropriate committees of Congress a report on the findings of such study and any recommendations developed under paragraph (3).

“(f) DEFINITIONS.—In this section:

“(1) AIR CARRIER; FOREIGN AIR CARRIER.—The terms ‘air carrier’ and ‘foreign air carrier’ have the meanings given such terms in section 40102 of title 49, United States Code.

“(2) AIRPORT SURFACE DETECTION AND SURVEILLANCE SYSTEM.—The term ‘airport surface detection and surveillance system’ means an airport surveillance system that is—

“(A) designed to track surface movement of aircraft and vehicles; or

“(B) capable of alerting air traffic controllers or flight crewmembers of a possible runway incursion, misaligned approach, or other safety event.

“(3) TRANSPORT AIRPLANE.—The term ‘transport airplane’ means a transport category airplane designed for operation by an air carrier or foreign air carrier jet type-certificated with a passenger seating capacity of at least 10 seats or a maximum takeoff weight above 12,500 pounds or an all-cargo or combi derivative of such an airplane.”

PROHIBITION ON PROVISION OF AIRPORT IMPROVEMENT GRANT FUNDS TO CERTAIN ENTITIES THAT HAVE VIOLATED INTELLECTUAL PROPERTY RIGHTS OF UNITED STATES ENTITIES

Pub. L. 118–63, title VII, §711, May 16, 2024, 138 Stat. 1253, provided that:

“(a) IN GENERAL.—Beginning on the date that is 30 days after the date of enactment of this Act [May 16, 2024], amounts provided as project grants under subchapter I of chapter 471 of title 49, United States Code, may not be used to enter into a covered contract with any entity on the list required under subsection (b).

“(b) LIST REQUIRED.—

“(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, and thereafter as required under paragraph (2), the United States Trade Representative, the Attorney General, and the Administrator [of the Federal Aviation Administration] shall make available to the Administrator a publicly-available list of entities manufacturing airport passenger boarding infrastructure or equipment that—

“(A) are owned, directed by, or subsidized in whole or in part by the People’s Republic of China;

“(B) have been determined by a Federal court to have misappropriated intellectual property or trade secrets from an entity organized under the laws of the United States or any jurisdiction within the United States;

“(C) own or control, are owned or controlled by, are under common ownership or control with, or are successors to an entity described in subparagraph (A); or

“(D) have entered into an agreement with or accepted funding from, whether in the form of minority investment interest or debt, have entered into a partnership with, or have entered into another contractual or other written arrangement with an entity described in subparagraph (A).

“(2) UPDATES TO LIST.—The United States Trade Representative shall update the list required under paragraph (1), based on information provided by the Attorney General and the Administrator—

“(A) not less frequently than every 90 days during the 180-day period following the initial publication of the list under paragraph (1); and

“(B) not less frequently than annually thereafter.

“(c) DEFINITIONS.—In this section:

“(1) IN GENERAL.—The definitions in section 47102 of title 49, United States Code, shall apply.

“(2) COVERED CONTRACT.—The term ‘covered contract’ means a contract or other agreement for the procurement of infrastructure or equipment for a passenger boarding bridge at an airport.”

NATIONAL PRIORITY SYSTEM FORMULAS

Pub. L. 118–63, title VII, §729, May 16, 2024, 138 Stat. 1271, provided that:

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [May 16, 2024], the Secretary [of Transportation] shall review and update the National Priority System prioritization formulas contained in FAA Order 5090.5 to account for the amendments to chapter 471 of title 49, United States Code, made by this Act [see Tables for classification].

“(b) REQUIRED CONSULTATION.—In revising the formulas under subsection (a), the Secretary shall consult with representatives of the following:

“(1) Primary airports, including large, medium, small, and nonhub airports.

“(2) Non-primary airports, including general aviation airports.

“(3) Airport trade associations, including trade associations representing airport executives.

“(4) State aviation officials, including associations representing such officials.

“(5) Air carriers, including mainline, regional, and low-cost air carriers.

“(6) Associations representing air carriers.

“(c) PRIORITY PROJECTS.—In revising the formulas under subsection (a), the Secretary shall assign the highest priority to projects that increase or maintain the safety, efficiency, and capacity of the aviation system.”

AIRPORT IMPROVEMENT PROGRAM HANDBOOK UPDATE

Pub. L. 118–63, title VII, §733, May 16, 2024, 138 Stat. 1273, provided that:

“(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act [May 16, 2024], the Administrator [of the Federal Aviation Administration] shall revise the Airport Improvement Program Handbook (FAA [Federal Aviation Administration] Order 5100.38D) (in this section referred to as the ‘AIP Handbook’) to account for legislative changes to the airport improvement program under subchapter I of chapter 471 and chapter 475 of title 49, United States Code, and to make such other changes as the Administrator determines necessary.

“(b) REQUIREMENTS RELATING TO ALASKA.—In revising the AIP Handbook under subsection (a) (and in any subsequent revision), the Administrator, in consultation with the Governor of Alaska, shall identify and incorporate reasonable exceptions to the general requirements of the AIP Handbook to meet the unique circumstances, and advance the safety needs, of airports in Alaska, including with respect to the following:

“(1) Snow Removal Equipment Building size and configuration.

“(2) Expansion of lease areas.

“(3) Shared governmental use of airport equipment and facilities in remote locations.

“(4) Ensuring the resurfacing or reconstruction of legacy runways to support—

“(A) aircraft necessary to support critical health needs of a community;

“(B) remote fuel deliveries; and

“(C) firefighting response.

“(5) The use of runway end identifier lights at airports in Alaska.

“(c) ADDITIONAL REQUIREMENT.—In revising the AIP Handbook under subsection (a), the Administrator shall include updates to reflect whether a light emitting diode system is an appropriate replacement for any existing halogen system.

“(d) PUBLIC COMMENT.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall publish a draft revision of the AIP Handbook and make such draft available for public comment for a period of not less than 90 days.

“(2) REVIEW.—The Administrator shall—

“(A) review all comments submitted during the public comment period described under paragraph (1);

“(B) as the Administrator considers appropriate, incorporate changes based on such comments into the final revision of the Handbook; and

“(C) provide a response to all significant comments.

“(e) INTERIM IMPLEMENTATION OF CHANGES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), not later than 1 year after the date of enactment of this Act, the Administrator shall issue program guidance letters to provide for the interim implementation of amendments made by this Act to the Airport Improvement Program.

“(2) ALASKA EXCEPTIONS.—Not later than 60 days after the date on which the Administrator identified reasonable exceptions under subsection (b), the Administrator, in consultation with the Regional Administrator of the FAA Alaskan Region, shall issue program guidance letters to provide for the interim application of such exceptions.”

CURB MANAGEMENT PRACTICES

Pub. L. 118-63, title VII, §746, May 16, 2024, 138 Stat. 1282, provided that: “Nothing in this Act [see Tables for classification] shall be construed to prevent airports from—

“(1) engaging in curb management practices, including determining and assigning curb designations and regulations;

“(2) installing and maintaining upon any of the roadways or parts of roadways as many curb zones as necessary to aid in the regulation, control, and inspection of passenger loading and unloading; or

“(3) enforcing curb zones using sensor, camera, automated license plate recognition, and software technologies and issuing citations by mail to the registered owner of the vehicle.”

NOTICE OF FUNDING OPPORTUNITY

Pub. L. 118-63, title VII, §747, May 16, 2024, 138 Stat. 1282, provided that: “Notwithstanding part 200 of title 2, Code of Federal Regulations, or any other provision of law, funds made available as part of the Airport Improvement Program under subchapter I of chapter 471 or chapter 475 of title 49, United States Code, shall not be subject to any public notice of funding opportunity requirement.”

DISPUTED CHANGES OF SPONSORSHIP AT FEDERALLY OBLIGATED, PUBLICLY OWNED AIRPORT

Pub. L. 118-63, title VII, §757, May 16, 2024, 138 Stat. 1285, provided that:

“(a) APPROVAL AUTHORITY.—

“(1) IN GENERAL.—Subject to paragraph (2), in the case of a disputed change of airport sponsorship, the

Administrator [of the Federal Aviation Administration] shall have the sole legal authority to approve any change in the sponsorship of, or operational responsibility for, the airport from the airport sponsor of record to another public or private entity.

“(2) EXCLUSION.—This section shall not apply to a change of sponsorship or ownership of a privately-owned airport, a transfer under the Airport Investment Partnership Program, a change when the Federal Government exercises a right of reverter, or a change that is not disputed.

“(b) CONDITIONS FOR APPROVAL.—

“(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Administrator shall not approve any disputed change of airport sponsorship unless the Administrator receives—

“(A) written documentation from the airport sponsor of record consenting to the change in sponsorship or operation;

“(B) notice of a final, non-reviewable judicial decision requiring such change; or

“(C) notice of a legally-binding agreement between the parties involved.

“(2) PENDING JUDICIAL REVIEW.—The Administrator may not evaluate or approve a disputed change of airport sponsorship where a legal dispute is pending before a court of competent jurisdiction.

“(3) TECHNICAL ASSISTANCE.—

“(A) IN GENERAL.—Any State or local legislative body or public agency considering whether to take an action (including by drafting legislation) that would impact the ownership, sponsorship, governance, or operations of a federally obligated, publicly owned airport may request from the Administrator, at any point in the deliberative process—

“(i) technical assistance regarding the interrelationship between Federal and State or local requirements applicable to any such action; and

“(ii) review and comment on such action.

“(B) FAILURE TO SEEK TECHNICAL ASSISTANCE.—The Administrator may deny a change in the ownership, sponsorship, or governance of, or operational responsibility for, a federally obligated, publicly owned airport if a State or local legislative body or public agency does not seek technical assistance under subparagraph (A) with respect to such change.

“(c) FINAL DECISION AUTHORITY.—In addition to the conditions outlined in subsection (b), the Administrator shall independently determine whether the proposed sponsor or operator is able to satisfy Federal requirements for airport sponsorship or operation and shall ensure, by requiring whatever terms and conditions the Administrator determines necessary, that any change in the ownership, sponsorship, or governance of, or operational responsibility for, a federally obligated, publicly owned airport is consistent with existing Federal law, regulations, existing grant assurances, and Federal land conveyance obligations.

“(d) DEFINITION OF DISPUTED CHANGE OF AIRPORT SPONSORSHIP.—In this section, the term ‘disputed change of airport sponsorship’ means any action that seeks to change the ownership, sponsorship, or governance of, or operational responsibility for, a federally obligated, publicly owned airport, including any such change directed by judicial action or State or local legislative action, where the airport sponsor of record initially does not consent to such change.”

PROCUREMENT REGULATIONS APPLICABLE TO FAA MULTIMODAL PROJECTS

Pub. L. 118-63, title VII, §758, May 16, 2024, 138 Stat. 1287, provided that:

“(a) IN GENERAL.—Any multimodal airport development project that uses grant funding from funds made available to the Administrator [of the Federal Aviation Administration] to carry out subchapter I of chapter 471 of title 49, United States Code, or airport infrastructure projects under the Infrastructure Investment and Jobs Act (Public Law 117-58) [see Tables for classifica-

tion] shall abide by the procurement regulations applicable to—

“(1) the FAA [Federal Aviation Administration]; and

“(2) subject to subsection (b), the component of the project relating to transit, highway, or rail, respectively.

“(b) MULTIPLE COMPONENT PROJECTS.—In the case of a multimodal airport development project described in subsection (a) that involves more than 1 component described in paragraph (2) of such subsection, such project shall only be required to apply the procurement regulations applicable to the component where the greatest amount of Federal financial assistance will be expended.”

REGIONAL AIRPORT CAPACITY STUDY

Pub. L. 118-63, title VII, §765, May 16, 2024, 138 Stat. 1291, provided that:

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [May 16, 2024], the Administrator [of the Federal Aviation Administration] shall initiate a study on the following:

“(1) Existing FAA [Federal Aviation Administration] policy and guidance that govern the siting of new airports or the transition of general aviation airports to commercial service.

“(2) Ways that existing regulations and policies could be streamlined to facilitate the development of new airport capacity, particularly in high-demand air travel regions looking to invest in new airport capacity.

“(3) Whether Federal funding sources (existing as of the date of enactment of this Act) that are authorized by the Secretary [of Transportation] could be used for such purposes.

“(4) Whether such Federal funding sources meet the needs of the national airspace system for adding new airport capacity outside of the commercial service airports in operation as of the date of enactment of this Act.

“(5) If such Federal funding sources are determined by the Administrator to be insufficient for the purposes described in this subsection, an estimate of the funding gap.

“(b) REPORT.—Not later than 30 months after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives] a report on the results of the study conducted under subsection (a), together with recommendations for such legislative or administrative action as the Administrator determines appropriate.

“(c) GUIDANCE.—Not later than 3 years after the date of enactment of this Act, the Administrator shall, if appropriate, revise FAA guidance to incorporate the findings of the study conducted under subsection (a) to assist airports and State and local departments of transportation in increasing airport capacity to meet regional air travel demand.”

APPLICATION OF AMENDMENTS TO AIRPORT IMPROVEMENT PROGRAM APPORTIONMENT AND DISCRETIONARY FORMULAS

Pub. L. 118-63, title VII, §772, May 16, 2024, 138 Stat. 1297, provided that: “The amendments to the Airport Improvement Program apportionment and discretionary formulas under chapter 471 of title 49, United States Code, made by this Act [see Tables for classification] (except as they relate to the extension of provisions or authorities expiring on May 10, 2024, or May 11, 2024) shall not apply in a fiscal year beginning before the date of enactment of this Act [May 16, 2024].”

AIR TRAFFIC SURFACE OPERATIONS SAFETY

Pub. L. 118-63, title X, §1023, May 16, 2024, 138 Stat. 1401, provided that:

“(a) RESEARCH.—Subject to the availability of appropriations, the Administrator [of the Federal Aviation Administration], in consultation with the Administrator of NASA [National Aeronautics and Space Administration] and other appropriate Federal agencies, shall continue to carry out research and development activities relating to technologies and operations to enhance air traffic surface operations safety.

“(b) REQUIREMENTS.—In carrying out the research and development under subsection (a) shall [sic] examine the following:

“(1) Methods and technologies to enhance the safety and efficiency of air traffic control operations related to air traffic surface operations.

“(2) Emerging technologies installed in aircraft cockpits to enhance ground situational awareness, including enhancements to the operational performance of runway traffic alerting and runway landing safety technologies.

“(3) Safety enhancements and adjustments to air traffic surface operations to account for and enable safe operations of advanced aviation technology.

“(c) REPORT.—Not later than 18 months after the date of enactment of this Act [May 16, 2024], the Administrator shall submit to the covered committees of Congress [Committee on Science, Space, and Technology of the House of Representatives and Committee on Commerce, Science, and Transportation of the Senate] a report on the research and development activities carried out under this section, including regarding the transition into operational use of such activities.”

LIMITED REGULATION OF NON-FEDERALLY SPONSORED PROPERTY

Pub. L. 115-254, div. B, title I, §163(a)–(c), Oct. 5, 2018, 132 Stat. 3224, as amended by Pub. L. 118-63, title VII, §743(a), May 16, 2024, 138 Stat. 1279, provided that:

“(a) [Reserved].

“(b) [Reserved].

“(c) RULE OF CONSTRUCTION.—Nothing in this section [enacting this note and amending section 47107 of this title] shall be construed to affect the applicability of sections [sic] 47107(b) or 47133 of title 49, United States Code, to revenues generated by the use, lease, encumbrance, transfer, or disposal of land under subsection (a), facilities upon such land, or any portion of such land or facilities.”

REIMBURSABLE AGREEMENTS FOR CERTAIN AIRPORT PROJECTS

Pub. L. 114-307, §1, Dec. 16, 2016, 130 Stat. 1523, provided that: “The Administrator of the Federal Aviation Administration may enter into a reimbursable agreement with a State or local government agency to carry out a project at an airport as to which notice is required under section 77.9 of title 14, Code of Federal Regulations, if the agreement—

“(1) includes measures for cost-effective completion of such project; and

“(2) would not negatively affect the safety or efficiency of the national airspace system.”

RUNWAY SAFETY

Pub. L. 112-95, title III, §314, Feb. 14, 2012, 126 Stat. 67, provided that:

“(a) STRATEGIC RUNWAY SAFETY PLAN.—

“(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act [Feb. 14, 2012], the Administrator of the Federal Aviation Administration shall develop and submit to Congress a report containing a strategic runway safety plan.

“(2) CONTENTS OF PLAN.—The strategic runway safety plan—

“(A) shall include, at a minimum—

“(i) goals to improve runway safety;

“(ii) near- and long-term actions designed to reduce the severity, number, and rate of runway incursions, losses of standard separation, and operational errors;

“(iii) time frames and resources needed for the actions described in clause (ii);

“(iv) a continuous evaluative process to track performance toward the goals referred to in clause (i); and

“(v) a review with respect to runway safety of every commercial service airport (as defined in section 47102 of title 49, United States Code) in the United States and proposed action to improve airport lighting, provide better signs, and improve runway and taxiway markings at those airports; and

“(B) shall address the increased runway safety risk associated with the expected increased volume of air traffic.

“(b) PROCESS.—Not later than 6 months after the date of enactment of this Act [Feb. 14, 2012], the Administrator shall develop a process for tracking and investigating operational errors, losses of standard separation, and runway incursions that includes procedures for—

“(1) identifying who is responsible for tracking operational errors, losses of standard separation, and runway incursions, including a process for lower level employees to report to higher supervisory levels and for frontline managers to receive the information in a timely manner;

“(2) conducting periodic random audits of the oversight process; and

“(3) ensuring proper accountability.

“(c) PLAN FOR INSTALLATION AND DEPLOYMENT OF SYSTEMS TO PROVIDE ALERTS OF POTENTIAL RUNWAY INCURSIONS.—Not later than June 30, 2012, the Administrator shall submit to Congress a report containing a plan for the installation and deployment of systems to alert air traffic controllers or flight crewmembers, or both, of potential runway incursions. The plan shall be integrated into the annual NextGen Implementation Plan of the Administration or any successor document.”

AVAILABILITY OF GATES AND OTHER ESSENTIAL SERVICES

Pub. L. 106-181, title I, §155(d), Apr. 5, 2000, 114 Stat. 89, provided that: “The Secretary [of Transportation] shall ensure that gates and other facilities are made available at costs that are fair and reasonable to air carriers at covered airports (as defined in section 47106(f)(4) [47106(f)(3)] of title 49, United States Code) where a ‘majority-in-interest clause’ of a contract or other agreement or arrangement inhibits the ability of the local airport authority to provide or build new gates or other facilities.”

CONSTRUCTION OF RUNWAYS

Pub. L. 106-181, title I, §158, Apr. 5, 2000, 114 Stat. 90, provided that: “Notwithstanding any provision of law that specifically restricts the number of runways at a single international airport, the Secretary [of Transportation] may obligate funds made available under chapters 471 and 481 of title 49, United States Code, for any project to construct a new runway at such airport, unless this section is expressly repealed.”

INNOVATIVE FINANCING TECHNIQUES

Pub. L. 104-264, title I, §148, Oct. 9, 1996, 110 Stat. 3223, authorized the Secretary of Transportation until Sept. 30, 1998, to carry out a demonstration program to provide information on the use of innovative financing techniques for airport development projects to Congress and the National Civil Aviation Review Commission. See section 47135 of this title.

AUTHORITY TO CLOSE AIRPORT LOCATED NEAR CLOSED OR REALIGNED MILITARY BASE

Pub. L. 104-264, title XII, §1203, Oct. 9, 1996, 110 Stat. 3280, which related to closure of an airport that is not a commercial service airport that is located within 2 miles of a United States Army depot which has been closed or realigned, was repealed by Pub. L. 118-63, title VII, §719(c)(1), May 16, 2024, 138 Stat. 1262.

STUDY ON INNOVATIVE FINANCING

Pub. L. 103-305, title V, §520, Aug. 23, 1994, 108 Stat. 1601, required the Secretary to conduct a study on innovative approaches for using Federal funds to finance airport development as a means of supplementing financing available under the Airport Improvement Program and set out matters for the Secretary to consider and persons to consult, and provided that the Secretary would transmit to Congress a report on the results of the study not later than 12 months after Aug. 23, 1994.

§ 47102. Definitions

In this subchapter—

(1) “air carrier” has the meaning given such term in section 40102.

(2) “airport”—

(A) means—

(i) an area of land or water used or intended to be used for the landing and taking off of aircraft;

(ii) an appurtenant area used or intended to be used for airport buildings or other airport facilities or rights of way; and

(iii) airport buildings and facilities located in any of those areas; and

(B) includes a heliport.

(3) “airport development” means the following activities, if undertaken by the sponsor, owner, or operator of a public-use airport:

(A) constructing, repairing, or improving a public-use airport, including—

(i) removing, lowering, relocating, marking, and lighting an airport hazard;

(ii) preparing a plan or specification, including carrying out a field investigation; and

(iii) a secondary runway at a nonhub airport that is equivalent in size and type to the primary runway of such airport.

(B) acquiring for, or installing at, a public-use airport—

(i) a navigation aid or another aid (including a precision approach system) used by aircraft for landing at or taking off from the airport, including preparing the site as required by the acquisition or installation;

(ii) safety or security equipment, including explosive detection devices, universal access systems, and emergency call boxes, the Secretary requires by regulation for, or approves as contributing significantly to, the safety or security of individuals and property at the airport and integrated in-pavement lighting systems for runways and taxiways and other runway and taxiway incursion prevention devices;

(iii) equipment to remove snow, to measure runway surface friction, or for aviation-related weather reporting, including closed circuit weather surveillance equipment and fuel infrastructure for such equipment to remove snow if the airport is located in Alaska;

(iv) firefighting and rescue equipment at an airport that serves scheduled passenger operations of air carrier aircraft designed for more than 9 passenger seats;

(v) aircraft deicing equipment and structures (except aircraft deicing fluids and