

AMENDMENTS

2018—Pub. L. 115-254, §160(a)(1), substituted “Airport investment partnership program” for “Pilot program on private ownership of airports” in section catchline.

Subsec. (b). Pub. L. 115-254, §160(a)(2), struck out “, with respect to not more than 10 airports,” after “approve” in introductory provisions.

Subsec. (b)(2). Pub. L. 115-254, §160(a)(3), substituted “If the Secretary grants an exemption to a sponsor pursuant to paragraph (1), the Secretary shall grant an exemption to the sponsor” for “The Secretary may grant an exemption to a sponsor”.

Subsec. (b)(3). Pub. L. 115-254, §160(a)(4), substituted “If the Secretary grants an exemption to a sponsor pursuant to paragraph (1), the Secretary shall grant an exemption to the corresponding purchaser or lessee” for “The Secretary may grant an exemption to a purchaser or lessee”.

Subsec. (d). Pub. L. 115-254, §160(a)(5), amended subsec. (d) generally. Prior to amendment, subsec. (d) related to participation of general aviation airports and large hub airports.

Subsecs. (l), (m). Pub. L. 115-254, §160(a)(6), added subsec. (l) and struck out former subsecs. (l) and (m) which related to report on implementation of the pilot program and defined “general aviation airport”, respectively.

2012—Subsec. (b). Pub. L. 112-95, §156, substituted “10 airports” for “5 airports” in introductory provisions.

Subsec. (g)(1). Pub. L. 112-95, §111(c)(2)(A)(iv), substituted “charge” for “fee”.

2003—Subsec. (b)(1)(A). Pub. L. 108-176, §155(a)(1), added cls. (i) and (ii) and struck out former cls. (i) and (ii) which read as follows:

“(i) by at least 65 percent of the air carriers serving the airport; and

“(ii) by air carriers whose aircraft landing at the airport during the preceding calendar year had a total landed weight during the preceding calendar year of at least 65 percent of the total landed weight of all aircraft landing at the airport during such year.”

Subsec. (b)(1)(B), (C). Pub. L. 108-176, §155(a)(2), (3), added subpar. (B) and redesignated former subpar. (B) as (C).

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-176, title I, §155(b), Dec. 12, 2003, 117 Stat. 2508, provided that: “The amendments made by subsection (a) [amending this section] shall not affect any application submitted before the date of enactment of this Act [Dec. 12, 2003].”

EFFECTIVE DATE

Except as otherwise specifically provided, section 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 an Effective Date of 1996 Amendment note under section 106 of this title.

DEEMED REFERENCES TO CHAPTERS 509 AND 511 OF TITLE 51

General references to “this title” deemed to refer also to chapters 509 and 511 of Title 51, National and Commercial Space Programs, see section 4(d)(8) of Pub. L. 111-314, set out as a note under section 101 of this title.

**§ 47135. Innovative financing techniques**

(a) IN GENERAL.—The Secretary of Transportation may approve, after the date of enactment of the Vision 100—Century of Aviation Reauthorization Act, applications for not more than 20 airport development projects for which grants received under this subchapter may be used for

innovative financing techniques. Such projects shall be located at airports that each year have less than .25 percent of the total number of passenger boardings each year at all commercial service airports in the most recent calendar year for which data is available.

(b) PURPOSE.—The purpose of grants made under this section shall be to provide information on the benefits and difficulties of using innovative financing techniques for airport development projects.

(c) LIMITATIONS.—

(1) NO GUARANTEES.—In no case shall the implementation of an innovative financing technique under this section be used in a manner giving rise to a direct or indirect guarantee of any airport debt instrument by the United States Government.

(2) TYPES OF TECHNIQUES.—In this section, innovative financing techniques are limited to—

- (A) payment of interest;
- (B) commercial bond insurance and other credit enhancement associated with airport bonds for eligible airport development;
- (C) flexible non-Federal matching requirements; and
- (D) use of funds apportioned under section 47114 for the payment of principal and interest of terminal development for costs incurred before the date of the enactment of this section.

(Added Pub. L. 106-181, title I, §132(a), Apr. 5, 2000, 114 Stat. 80; amended Pub. L. 108-176, title I, §156, Dec. 12, 2003, 117 Stat. 2508.)

**Editorial Notes**

REFERENCES IN TEXT

The date of enactment of the Vision 100—Century of Aviation Reauthorization Act, referred to in subsec. (a), is the date of enactment of Pub. L. 108-176, which was approved Dec. 12, 2003.

The date of the enactment of this section, referred to in subsec. (c)(2)(D), is the date of enactment of Pub. L. 106-181, which was approved Apr. 5, 2000.

AMENDMENTS

2003—Subsec. (a). Pub. L. 108-176 inserted “, after the date of enactment of the Vision 100—Century of Aviation Reauthorization Act,” after “approve” in first sentence.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-176 applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108-176, set out as a note under section 106 of this title.

EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

**§ 47136. Zero-emission airport vehicles and infrastructure**

(a) IN GENERAL.—The Secretary of Transportation may establish a pilot program under which the sponsors of public-use airports may