

SENATE No. 2305

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to mitigate the climate impact of private and corporate air travel.

PETITION OF:

NAME:

Julian Cyr

DISTRICT/ADDRESS:

Cape and Islands

SENATE No. 2305

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 2305) of Julian Cyr for legislation to mitigate the climate impact of private and corporate air travel. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to mitigate the climate impact of private and corporate air travel.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting in section
2 35 the following new definitions:-

3 (r) "Personal Aircraft", an aircraft owned by an individual for their personal air travel use
4 and use by their guests with the permission of the owner.

5 (s) "Corporate Owned Aircraft", an aircraft owned by a corporation for air travel use by
6 its officers and their associates and guests.

7 (t) "Aircraft Charter Rental Corporation", a corporation that provides aircraft for private
8 air travel needs to persons and corporations through a rental agreement.

9 (u) "Charter Rental Aircraft", an aircraft rented by an aircraft charter rental corporation
10 for private aviation travel needs to persons and corporations through a rental agreement.

11 (v) “Scheduled Commercial Passenger Air Transportation”, an aircraft that is operated
12 by a commercial airline company to transport scheduled paying customer passengers to domestic
13 and international locations.

14 (w) “Freight or Cargo Aircraft”, an aircraft operated by a corporation or non-profit
15 organization, including courier service corporations, to deliver goods to domestic and
16 international locations.

17 SECTION 2. Chapter 90 of the General Laws is hereby amended by inserting after
18 section 51N the following new sections:-

19 Section 51O. An airport commission governing a municipal or county owned airport or
20 the board of directors of the Massachusetts port authority shall assess a climate impact landing
21 fee of not less than one thousand dollars on personal aircraft, corporate owned aircraft and
22 charter rental aircraft each time that any such an aircraft is to land at an airport in the
23 commonwealth.

24 Nothing in this section shall pertain to public aircraft, scheduled commercial passenger
25 air transportation, freight or cargo aircraft.

26 Section 51P. An airport commission governing a municipal or county owned airport or
27 the board of directors of the Massachusetts port authority shall retain not less than 50 per cent of
28 the proceeds from each climate impact landing fee received by such an entity. Not less than 50
29 per cent of the proceeds from each climate impact landing fee received by such an entity shall be
30 deposited in the transportation infrastructure climate adaptation fund.

31 Section 51Q. There shall be established and set up on the books of the Commonwealth a
32 separate fund to be known as the transportation infrastructure climate adaptation fund, which
33 shall be administered exclusively by the secretary of the Massachusetts department of
34 transportation. There shall be credited to the fund all revenue received pursuant to section 51P of
35 chapter 90, sums received by the commonwealth or from the federal government as grants and
36 appropriations, state grants and appropriations, funds made available by the secretary, and
37 private contributions and gifts. The secretary shall report annually on January 1st by source all
38 amounts credited to the fund and all expenditures by subsidiary made from the fund to the chairs
39 of the joint committee on transportation. Amounts remaining in the fund at the end of a fiscal
40 year shall not revert to the general fund and shall be available for expenditure in the next fiscal
41 year and thereafter.

42 The fund shall be used by the Massachusetts department of transportation to invest in
43 infrastructure owned by the commonwealth that requires repair and adaptation due to the effects
44 of climate change.

45 SECTION 3. Section 2 shall take effect on January 1, 2022.