

# STATE OF NEW YORK

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3020

2019-2020 Regular Sessions

## IN SENATE

January 31, 2019

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Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the transportation law, in relation to requiring military courtesy centers in all airports

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1     Section 1. Legislative intent. In recognition of the service provided  
2 by active servicemembers and veterans, who often spent long hours away  
3 from their homes while working to defend our freedoms, it is the intent  
4 of this legislature to offer space in airports for members of the mili-  
5 tary to relax and rest. Therefore, every commercial airport in the  
6 state, regardless of authority or ownership, must offer space for active  
7 servicemembers and veterans to relax and rest while traveling, subject  
8 to the conditions set forth by the commissioner of transportation.

9     § 2. The transportation law is amended by adding a new section 14-n to  
10 read as follows:

11     **S 14-n. Airport military courtesy centers.** 1. For the purposes of this  
12 section, the following terms shall have the following meanings:

13         (a) "military courtesy center" shall mean a club, lounge, or courtesy  
14 room housed within an airport for purposes of providing a distinct room  
15 or suite to serve the rest and recreational needs of traveling active  
16 servicemembers and veterans. Military courtesy centers may be maintained  
17 by any authorized municipality, by an airport or commercial air carrier,  
18 by nonprofit organizations, veterans' service agencies or organizations,  
19 by state expenses from any appropriation for the maintenance of military  
20 courtesy centers, or by any combination thereof;

21         (b) "airport" shall have the same meaning as such term is defined in  
22 subdivision five of section two hundred forty of the general business  
23 law, including privately-owned airports and public use airports as  
24 contemplated under sections fourteen-h and fourteen-l of this article;

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets  
[**-**] is old law to be omitted.

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1       (c) "active servicemember" shall mean a person serving in active duty  
2 in the United States army, navy, marine corps, air force, coast guard or  
3 reserves component, or who is serving in active military service of the  
4 United States as a member of the army national guard, air national  
5 guard, New York guard or New York naval militia; and

6       (d) "veteran" shall mean a person who was a member of the armed forces  
7 of the United States and received an honorable discharge or was released  
8 therefrom under honorable conditions.

9       2. (a) Notwithstanding any provision of law to the contrary, in order  
10 to enhance comfort for traveling veterans and active servicemembers, the  
11 commissioner shall ensure that each airport located in New York state  
12 provide at least one military courtesy center upon new terminal  
13 construction or the replacement, expansion, or reconstruction or renova-  
14 tion of an existing terminal or aviation capital facility.

15       (b) Airports shall not be required to provide a military courtesy  
16 center if there is a demonstrated lack of need as determined by factors  
17 certified and approved by the commissioner, including without limita-  
18 tion:

19           (i) minimal current and projected active servicemember and veteran  
20 travel volumes;

21           (ii) design features would have an adverse impact on, or be contrary  
22 to, public safety;

23           (iii) the cost would be fiscally prohibitive to the airport and the  
24 airport either conducts fewer than one million emplanements per year or  
25 generates less than one million dollars in gross revenues; or

26           (iv) the airport provided an airport rest area or service center which  
27 is staffed by the United Service Organization or other veterans service  
28 agencies before December thirty-first, two thousand nineteen.

29       3. (a) The commissioner shall determine the manner by which proof of  
30 active duty or veteran status shall be submitted for purposes of gaining  
31 entry to a military courtesy center.

32       (b) Military courtesy centers shall be suitably marked and signs indi-  
33 cating their location shall be posted within the airport.

34       (c) Military courtesy centers shall include, at a minimum, electrical  
35 outlets, seating, internet access, telephones and televisions.

36       4. (a) The commissioner is authorized to establish an exemption or  
37 waiver process for airports to demonstrate a lack of need pursuant to  
38 paragraph (b) of subdivision two of this section, provided that the  
39 commissioner shall publish a written report documenting the reasons for  
40 granting the exemption or waiver and how those reasons comply with para-  
41 graph (b) of subdivision two of this section. Further, no less than  
42 thirty days prior to granting any such exemption or waiver, the commis-  
43 sioner shall solicit public commentary from members of the public and  
44 organizations representing active servicemembers and veterans, including  
45 without limitation the United Service Organization, state division of  
46 veterans' affairs, and local veterans service agencies or organizations  
47 with jurisdiction over the territory in which the airport is located.  
48 Additionally, the commissioner shall advertise its consideration of this  
49 waiver and solicit public commentary by posting the notice on its home-  
50 page and in advertising in two local newspapers of general circulation  
51 no less than sixty days before releasing its written report.

52       (b) The commissioner shall permit airports to enter into agreements  
53 for the installation of vending machines dispensing such food, drink and  
54 other articles as he or she deems appropriate or desirable, provided  
55 that alcohol shall not be permitted. Net revenues generated pursuant to  
56 such agreements shall be appropriated to the aviation purpose account of

1 the state capital projects fund or to the state veterans' counseling  
2 services program.

3 5. (a) This section shall not be construed to replace or supersede  
4 airport security standards required by the United States department of  
5 homeland security or transportation security administration or safety  
6 standards required by the United States department of transportation or  
7 federal aviation administration.

8 (b) This section shall not be construed as an interference with, or  
9 breach of, agreements entered into pursuant to section three hundred  
10 fifty-two of the general municipal law.

11 § 3. Clause (H) of subparagraph (ii) of paragraph (c) of subdivision 2  
12 of section 14-m of the transportation law, as added by section 1 of part  
13 F of chapter 1 of the laws of 2004, is amended to read as follows:

14 (H) create an emergency locator map, which may be hand-drawn generally  
15 to scale, identifying areas such as runways, ramp areas, fence lines,  
16 gates, military courtesy centers, hydrants, emergency shelters, build-  
17 ings and hazardous materials sites, and provide copies of such map to  
18 emergency response agencies serving such airport, to law enforcement  
19 agencies having jurisdiction over such airport, and appropriate airport  
20 personnel. Whenever there is a physical change involving such areas,  
21 such map shall be revised and resubmitted to the aforementioned emergen-  
22 cy response and law enforcement agencies and airport personnel within  
23 sixty days of such change; and

24 § 4. This act shall take effect on the one hundred eightieth day after  
25 it shall have become a law; provided that, effective immediately, the  
26 commissioner of transportation is authorized and directed to promulgate,  
27 amend, or repeal regulations and take other actions necessary to imple-  
28 ment this act on or before such effective date.