§ 1299-a. Definitions. As used or referred to in this title, unless a different meaning clearly appears from the context:

1. "Authority" shall mean the corporation created by section twelve hundred ninety-nine-c of this title.

2. "Authority facilities" shall mean the authority's railroad, omnibus, marine and aviation facilities and operations pursuant to joint service arrangements.

3. "Comptroller" shall mean the comptroller of the state of New York.

4. "Equipment" shall mean rolling stock, omnibuses, vehicles, air, marine or surface craft, motors, boilers, engines, wires, ways, conduits and mechanisms, machinery, tools, implements, materials, supplies, instruments and devices of every nature whatsoever used or useful for transportation purposes or for the generation or transmission of motive power including but not limited to all power houses, and all apparatus and all devices for signalling, communications and ventilation as may be necessary, convenient or desirable for the operation of a transportation facility.

5. "Federal government" shall mean the United States of America, and any officer, department, board, commission, bureau, division, corporation, agency or instrumentality thereof.

6. "Governor" shall mean the governor of the state of New York.

7. "Joint service arrangements" shall mean agreements between or among the authority and any common carrier or freight forwarder, the state, any state agency, the federal government, any other state or agency or instrumentality thereof, any public authority of this or any other state, any political subdivision or municipality of the state, or the nation, relating to property, buildings, structures, facilities, services, rates, fares, classifications, divisions, allowances or charges (including charges between operators of railroad, omnibus, marine and aviation facilities), or rules or regulations pertaining

thereto, for or in connection with or incidental to transportation in part in or upon railroad, omnibus, marine or aviation facilities located within the district and in part in or upon railroad, omnibus, marine or aviation facilities located outside the district.

8. "Marine and aviation facilities" shall mean equipment and craft for the transportation of passengers, mail and cargo between points within the district or pursuant to joint service arrangements, by marine craft and aircraft of all types including but not limited to hydrofoils, ferries, lighters, tugs, barges, helicopters, amphibians, seaplanes or other contrivances now or hereafter used in navigation or movement on waterways or in the navigation of or flight in airspace. It shall also mean port facilities in the transportation district including, but not limited to, (a) one or more docks, elevators, wharves, piers, bulkheads, slips, basins, harbors, railroad connections, side tracks or sidings, freight terminals, warehouses, bridges, tunnels, and areas for storage of cargoes, materials, goods, wares, and merchandise of any kind and for the loading, unloading, interchange or transfer of any such cargoes, materials, goods, wares and merchandise; (b) other buildings, structures, facilities or improvements necessary to accommodate steamships or other vessels and their cargoes or passengers; and (c) all real and personal property, driveways, roads, approaches, mechanical equipment and all appurtenances and facilities either on, above or under the ground which are necessary, convenient or desirable for the development, control and operation of port facilities in the transportation district. It shall also mean any airport facility within the transportation district, including but not limited to any facility or real property necessary, convenient or desirable for the landing, taking off, accommodation or servicing of such aircraft and shall include such facilities, property, structures and appurtenances as may be necessary or convenient in the operation, maintenance, development or improvement of airports including facilities, property, structures, and appurtenances, leased by the Authority to persons, firms or corporations engaged in air transportation or the production or development of materials, goods or equipment for airports or air transportation or in providing facilities for the accommodation, safety or comfort of the traveling public and for purposes related or incidental to one or more

of the foregoing purposes. It shall also mean any airport facility within the transportation district or within ten miles of the boundaries thereof.

9. "Omnibus facilities" shall mean motor vehicles, of the type operated by carriers subject to the jurisdiction of the public service commission, engaged in the transportation of passengers and their baggage, express and mail between points within the district or pursuant to joint service arrangements, and equipment, property, buildings, structures, improvements, loading or unloading areas, parking areas or other facilities, necessary, convenient or desirable for the accommodation of such motor vehicles or their passengers, including but not limited to buildings, structures and areas notwithstanding that portions may not be devoted to any omnibus purpose other than the production of revenues available for the costs and expenses of all or any facilities of the authority.

10. "Railroad facilities" shall mean right of way and related trackage, rails, cars, locomotives, other rolling stock, signal, power, fuel, communication and ventilation systems, power plants, stations, terminals, storage yards, repair and maintenance shops, yards, equipment and parts, offices and other real estate or personalty used or held for or incidental to the operation, rehabilitation or improvement of any railroad operating or to operate between points within the district or pursuant to joint service arrangements, including but not limited to buildings, structures, and areas notwithstanding that portions thereof may not be devoted to any railroad purpose other than the production of revenues available for the costs and expenses of all or any facilities of the authority.

11. "Real property" shall mean lands, structures, franchises and interests in land, waters, lands under water, riparian rights and air rights and any and all things and rights included within said term and includes not only fees simple absolute but also any and all lesser interests including but not limited to easements, rights of way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable, including terms for years

and liens thereon by way of judgments, mortgages or otherwise.

12. "State" shall mean the state of New York.

13. "State agency" shall mean any officer, department, board, commissioner, bureau, division, public benefit corporation, agency or instrumentality of the state.

14. "Transportation facility" shall mean any railroad, omnibus, marine or aviation facility and any person, firm, partnership, association or corporation which owns, leases or operates any such facility or any other facility used for service in the transportation of passengers, United States mail or personal property as a common carrier for hire and any portion thereof and the rights, leaseholds or other interest therein together with routes, tracks, extensions, connections, parking lots, garages, warehouses, yards, storage yards, maintenance and repair shops, terminals, stations and other related facilities thereof, the devices, appurtenances, and equipment thereof and power plants and other instrumentalities used or useful therefor or in connection therewith.

15. "Transportation district" and "district" shall mean the Niagara Frontier transportation district created by section twelve hundred ninety-nine-b of this title.

16. "Niagara Frontier Port Authority" shall mean the corporation continued by a chapter of the laws of nineteen hundred sixty-nine entitled "An act to effect a consolidation of the Niagara Frontier port authority and the Niagara Frontier transportation authority, and to amend the public authorities law and chapter two hundred sixty of the laws of nineteen hundred fifty-seven, entitled 'An act to designate the Niagara Frontier port authority to receive certain future payments from, and subsequent to July first, nineteen hundred ninety-two, to exercise jurisdiction over the property and assets acquired and held in the state of New York by the Buffalo and Fort Erie public bridge authority, and making other provision with respect to such payments, property and assets', in relation thereto".

17. "Nation" shall mean the Seneca Nation of Indians.

18. "Transit dependent individual" shall mean an individual who is limited to public transit as their primary mode of transportation because the individual has a permanent disability.