§ 1301. 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 thirteen hundred three of this title.

2. "Transportation district" and "district" shall mean the Capital District transportation district created by section thirteen hundred two of this title.

3. "Participating county" shall mean any of the counties defined in section thirteen hundred two of this title.

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

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

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

7. "Director of the budget" shall mean the director of the budget of the state of New York.

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

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

10. "Municipality" shall mean a city, town, village or county not wholly contained within a city.

11. "Municipal corporation" shall mean a city, town, village, county not wholly contained within a city, special transportation district, public benefit corporation or other public corporation, or two or more of the foregoing acting jointly.

12. "Personal property" shall mean chattels and other tangible things of a movable or removable nature.

13. "Property" shall mean both real and personal property.

14. "Master plan" shall mean the long range regional transportation plan for the upper Hudson planning and development region including, but not limited to that prepared by the capital district transportation study and approved by the commissioner.

15. "Joint service arrangement" 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, or any political subdivision or municipality of the state, 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 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.

16. "Project" shall mean any undertaking by the authority within the district including but not limited to port or harbor facilities, transportation properties, access and service roads and bridges, serving railroad, omnibus, marine and air facilities, equipment, appurtenances, utilities, airport facilities and any other improvement under authority jurisdiction within the district.

17. "Facility" shall mean, among other things, such properties, structures, appurtenances, utilities, terminals, wharves, docks, piers, railroad trackage, warehouses, elevators, equipment for handling freight, passengers and vehicles and such other works, properties, buildings or allied items necessary or desirable in connection with

development, operation, maintenance or improvement of port, airport and public transportation needs for the accommodation, safety or comfort of the public and commercial enterprise for the regional transportation district.

18. "Equipment" shall mean rolling stock, omnibuses, vehicles, air, marine or surface craft, motors, boilers, engines, and other instrumentalities used or useful therefor or in connection therewith.

19. "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, berthing facilities 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.

20. "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.

21. "Real property" shall mean lands, structures, franchises and interests in land, waters, lands under water, riparian 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.

22. "Marine and aviation facilities" shall mean equipment and craft for the transportation of passengers, mail and cargo between points from and to and 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 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 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.

23. "Transportation facility" shall mean any railroad, omnibus, marine, aviation or parking 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.

24. "Commissioner" shall mean commissioner of transportation of the state of New York.

25. "Action plan" shall mean a plan for implementation of improvements to such means of public transportation and related services by omnibus, railroad and marine and aviation facilities as the authority may contemplate within the capital district transportation district to effectuate the purposes of this act.

26. "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.