

NIAGARA FRONTIER TRANSPORTATION AUTHORITY

Resolution Authorizing the Imposition of Certain Operational Fees for Transportation Network Companies Operating at the Buffalo Niagara International Airport and Niagara Falls International Airport

WHEREAS, the regulations of the Niagara Frontier Transportation Authority (“NFTA”), specifically 21 NYCRR 1160 *et seq.* (“Part 1160”), create commercial ground transportation rules and regulations for the landside terminal operations at the Buffalo Niagara International Airport (“BNIA”); and

WHEREAS, before the NFTA is a proposed rulemaking (“Proposed Rules”) to modify Part 1160 to include provisions regulating the operation of Transportation Network Companies (“TNCs”) at the BNIA and Niagara Falls International Airport (“NFIA”) (collectively with BNIA, “Airport” or “Airports”); and

WHEREAS, pursuant to New York Public Authorities Law § 1299-f(3), by resolution, the NFTA may establish, levy, and collect or cause to be established such fares, tolls, rentals, rates, charges, and other fees it may deem necessary, convenient, or desirable for the use and operation of any transportation facility and related services operated by the NFTA; and

WHEREAS, the NFTA has determined that it is necessary to impose fees to maintain the combined operations of the NFTA and the Airports on a self-sustaining basis (“Proposed Fees”); and

WHEREAS, the NFTA has evaluated the Proposed Fees and the applicable laws and regulations;

NOW, THEREFORE, BE IT RESOLVED by the NFTA that:

1. Based upon a thorough review and examination of the known facts relating to the Proposed Rules and Proposed Fees and its review of the Public Authorities Law, the NFTA hereby sets the following fee schedule for TNCs operating at the Airports, effective immediately upon publication of the Notice of Adoption of the Proposed Rules in the State Register:

- a. Each TNC will be charged a fee of \$2.50 per Drop-Off Trip, as that term is defined in the Proposed Rules; and
- b. Each TNC will be charged a fee of \$2.50 per Pick-Up Trip, as that term is defined in the Proposed Rules.

c. Each TNC will be charge a one-time application fee \$5,000.00

2. Counsel for the NFTA is hereby authorized and directed to distribute copies of this resolution as necessary.

3. This resolution is effective immediately.

PASSED AND ADOPTED this _____ day of November, 2018 by the NFTA.