**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑31‑70 SO AS TO PROVIDE CERTAIN TERMS AND THEIR DEFINITION, AND TO PROVIDE AN AIRPORT MANAGEMENT ENTITY MAY REGULATE THE USE OF AIRPORT FACILITIES BY VEHICLE COMPANIES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 31, Title 56 of the 1976 Code is amended by adding:

“Section 56‑31‑70. (A) As contained in this section:

(1) ‘Airport management entity’ means any person with police powers that owns or operates an airport.

(2) ‘Peer‑to‑peer car sharing’ means a marketplace facilitator as defined in Section 12‑36‑71, or an operationally similar business in each case which facilitates the authorized use of a vehicle by an individual other than the vehicle’s owner, through a program which connects shared vehicle owners with drivers to enable the sharing of vehicles for financial consideration.

(3) ‘Vehicle’ means a rental vehicle as defined in Section 56‑31‑20 or a vehicle used for peer‑to‑peer car sharing.

(4) ‘Vehicle company’ means a rental company as defined in Section 56‑31‑20 or a platform or other business engaged in peer‑to‑peer car sharing.

(B) An airport management entity may:

(1) charge vehicle companies a reasonable fee for the use of the airport facility;

(2) require the purchase and use of equipment or establish other appropriate mechanisms for monitoring and auditing compliance, including having a vehicle company provide data for purpose of monitoring and auditing compliance; and

(3) designate a shared location where the vehicles may stage on the airport facility.

(C) An airport management entity may require each vehicle company to enter into a written agreement, including a concession agreement, prior to:

(1) offering vehicles parked on airport facilities;

(2) facilitating the use of vehicles to transport airport customers to or from the airport facilities, regardless of whether that use is to be initiated, or has a start time which occurs, on or off of such facilities; or

(3) promoting or marketing vehicles to transport airport customers to or from the airport facilities, regardless of whether that transportation is to be initiated, or has a start time which occurs, on or off of such facilities.

(D) Any agreement permitted by subsection (C) shall set forth reasonable standards, regulations, procedures and fees applicable to the vehicles and to the vehicle company.

(E) If a vehicle company, or the owner of a vehicle used for sharing by a program company:

(1) fails or refuses to enter into an agreement described in subsection (C) after request by an airport management entity; or

(2) performs, participates in, or undertakes any of the actions set forth in subsection (C) before entering into an agreement described in subsection (C) after request by an airport management entity, then the affected airport may seek an injunction prohibiting such operations at the airport and also may seek damages against the vehicle company or shared vehicle owner.”

SECTION 2. This act takes effect upon approval by the Governor.

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