



RULES AND REGULATIONS

governing

COMMERCIAL GROUND TRANSPORTATION SERVICES

at

MANCHESTER-BOSTON REGIONAL AIRPORT

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**RULES AND REGULATIONS GOVERNING
COMMERCIAL GROUND TRANSPORTATION SERVICES
AT MANCHESTER-BOSTON REGIONAL AIRPORT**

SECTION 1.00 INTRODUCTION

1.01 OBJECTIVE

The objectives of these Rules and Regulations governing commercial ground transportation at Manchester-Boston Regional Airport are to promote high quality and reasonably priced ground transportation services consistent with public safety and convenience, to ensure the efficient movement of passengers to and from the Airport Terminal, to foster competition among commercial ground transportation services providers, and to develop revenues for the support of the Airport.

1.02 APPLICABILITY

These Rules and Regulations apply to all commercial ground transportation services providers operating at Manchester-Boston Regional Airport.

SECTION 2.00 DEFINITIONS

Whenever used in these Rules and Regulations, the following terms shall have the meanings respectively hereinafter indicated:

Access Permit or Permit: A written contract in the form of an access permit issued by the Airport upon application by a commercial ground transportation operator evidenced by a decal placed on the commercial vehicle. An Access Permit authorizes the commercial ground transportation operator to have access to Airport premises including, but not limited to, the Terminal and the Airport roadway system for the purposes of providing the transport of persons or property in a commercial vehicle.

Airport: The lands and developments known as the Manchester-Boston Regional Airport owned by the City of Manchester and operated through its Department of Aviation, said Airport consisting of runways, taxiways, hangars, aprons, buildings, structures, roads, streets, parking and storage areas, improvements, facilities, or other real property necessary or convenient or desirable for the landing, takeoff, accommodations and servicing of aircraft of all types, located in the City of Manchester and Town of Londonderry, New Hampshire.

Airport Director or Director: The Director of the Department of Aviation, City of Manchester, New Hampshire, and Manager of the Airport, which term shall include any officer succeeding to the functions thereof.

Airport Director's Designee: An Airport employee or agent responsible for administration of the Airport's Commercial Ground Transportation policies and these Rules and Regulations as designated by the Airport Director.

Airport Roadways: Those vehicular ways on Airport premises designated and made available temporarily or permanently by the Airport as ways to which the public has the privilege of access, within the meaning of the laws of the State of New Hampshire, applicable to regulation of motor vehicles.

AVI Tag: An electronic device issued to ground transportation operators affording commercial vehicle access to the commercial vehicle staging areas.

Commercial Ground Transportation Operator or Operator: The owner or other person, firm, or corporation, or its agents, servants or employees, operating or engaged in any type of commercial ground transportation services or any person who has rented commercial vehicle(s) for the purpose of providing commercial ground transportation services by his/her own agents.

Commercial Ground Transportation Service: The act of providing the carriage of persons or property to or from the Airport in a commercial vehicle.

Commercial Vehicle or Vehicle: Any vehicle engaged in transporting persons or property for a commercial entity, regardless of whether the charge for such service is paid for, either directly or indirectly, by the customer being served.

Commercial Vehicle Staging Areas: The areas designated by the Airport Director for the parking or queuing of commercial vehicles.

Commercial Vehicle Loading/Unloading Areas: The areas designated by the Airport Director for loading and unloading passengers and/or property.

Concession Agreement: An agreement between the Airport and a commercial ground transportation operator which authorizes the operator to provide specified services at the Airport.

Courtesy Vehicle: A commercial vehicle used by a Hotel, Off-Airport Car Rental, or Off-Airport Parking Operator that carries the operator's Airport customers to or from the Airport.

Cruising: Picking up or attempting to pick up passengers or fares at locations on Airport premises other than designated commercial vehicle staging areas.

Decal: The visible evidence of an Access Permit or Concession Agreement, issued in the form of a sticker to be affixed to a commercial vehicle on an area of that vehicle designated by the Airport Director, for the purpose of identifying the vehicle as being a commercial ground transportation vehicle which is authorized to have access to Airport premises for the purpose of providing the transport of persons or property to or from the Airport.

Department: The City of Manchester, New Hampshire, Department of Aviation, being a duly and lawfully constituted municipal corporation owning and operating the Manchester-Boston Regional Airport.

Driver: The person operating a commercial vehicle.

LEO: Law enforcement officers assigned duty at the Airport, or any other State, Federal, County or local law enforcement officer temporarily assigned duty at the Airport.

Reservation Staging Area: The gated, lower commercial ground transportation lane used for the staging of Airport-permitted commercial vehicles picking up Airport passengers on a reservation basis, including limousine and non-scheduled shuttle services, noon-scheduled bus services, hotel courtesy vehicles and off-Airport rental car courtesy vehicles, and taxicabs making a reservation pick-up.

Rules and Regulations: These "Commercial Ground Transportation Rules and Regulations" for landside operations at the Manchester-Boston Regional Airport, as said Rules and Regulations may be amended in the future by the Airport and any other rules and regulations that may be promulgated in the future by the Airport relating to Commercial Ground Transportation.

Scheduled Bus Staging Area/Bus Stop: That portion of the gated, upper commercial ground transportation lane, designated by the Airport Director for staging of scheduled bus service.

Scheduled Shuttle Staging Area: That portion of the gated, upper commercial ground transportation lane, from north of the main pedestrian crosswalk to the exit gate of the lane, designated by the Airport Director for staging of both the Airport's Parking Lot Shuttle and Airport-permitted commercial Scheduled Shuttle service.

Solicitation: Approaching or initiating a conversation with any person on Airport premises, or in any way employing or inducing any other person to approach or initiate a conversation with any person on Airport

premises, other than a person whose transportation by a commercial ground transportation operator has been arranged prior to that operator's entry onto Airport premises, for the purpose of seeking passengers or customers for the business of a commercial ground transportation operator.

Taxicab: A commercial passenger vehicle for hire, designed and/or constructed to accommodate and transport passengers, that is equipped with a functional odometer to indicate and determine the passenger fare charged for distance traveled, and engaged in the general transportation of persons, not on regular schedules, with routes and the destinations determined by the passenger.

Taxicab Remote Staging Area/Remote Taxi Queue: The area designated by the Airport Director for the overflow staging of Airport-permitted Taxicabs when the Taxicab Main Staging Area is full.

Taxicab Main Staging Area/Taxi Queue: That portion of the gated, upper commercial ground transportation lane, consisting of specified parking positions north of the bus stop and south of the main pedestrian crosswalk, designated by the Airport Director for the staging of Airport-permitted taxicabs providing on-demand Taxicab service to Airport passengers leaving the Airport.

Terminal: The passenger terminal building at the Airport.

SECTION 3.00 LAWS, REGULATIONS AND RULES TO BE OBSERVED

The provision of commercial ground transportation services at the Airport shall be governed by all applicable laws, regulations, rules and ordinances, executed concession agreements and access permits, and with the provisions of these Rules and Regulations, as the same may be amended from time to time. All persons engaged in commercial ground transportation services at the Airport, whether as an operator, driver, employee or representative of an operator, or otherwise, shall at all times comply with the provisions of these Rules and Regulations. Any person in any capacity who violates any provision of these Rules and Regulations shall be deemed guilty of a violation of these Rules and Regulations and may be subject to disciplinary action and/or may be removed from Airport premises.

SECTION 4.00 GENERAL PROVISIONS GOVERNING COMMERCIAL GROUND TRANSPORTATION SERVICE

4.01 ACCESS TO AIRPORT

All commercial ground transportation operators are required to obtain authorization from the Airport in order to have access to the Airport premises for the purposes of providing the transport of persons or property from the Terminal in a commercial vehicle. In order to obtain said authorization, a commercial ground transportation operator must submit, on an official Airport form, an application to the Airport for an Access Permit and must pay the Airport the established fees and charges. An Access Permit is issued in the form of a decal, which is valid for a specified period.

4.02 ACCESS PERMIT OR CONCESSION AGREEMENT REQUIRED

No person or legal entity shall operate at, enter upon and use Airport premises for the purposes of providing commercial ground transportation services except under an executed, written contract with the Airport specifically permitting the operation of such services at the Airport.

4.03 SOLICITATION

No person in providing commercial ground transportation service at the Airport may solicit business at the Airport or within the terminal, including, but not limited to, the Airline ticket counters, baggage claim area, first and second floor lobbies/atrium, sidewalks and commercial vehicle loading and unloading areas. For purposes hereof, neither the leasing of an ad/phone on the Reservation Board or other advertising display, nor activities in compliance with the Airport's meet and greet policy, as set forth herein, shall be deemed to constitute solicitation.

A commercial ground transportation operator may not approach the airline ticket counters to solicit airline employees or passengers for fares, however, if a previously-made business agreement exists between the operator and the airline station manager, and if the airline contacts the operator, the resulting fare shall not be deemed solicitation.

4.04 FEES AND CHARGES

It shall be the policy of the Airport to establish and assess appropriate fees and charges to be paid by commercial ground transportation operators. The fees and charges for non-concessionaire commercial ground transportation operators will be established by tariff and will be reviewed periodically and adjusted from time to time by the Airport.

4.05 RULES AND REGULATIONS

Commercial vehicles shall strictly comply with all laws and local ordinances which affect in any way the actions of those engaged in performing commercial ground transportation services at the Airport, laws of the State of New Hampshire, rules and regulations of the New Hampshire Department of Transportation and the Federal Highway Administration applicable to the operations contemplated herein and these Rules and Regulations of the Airport applicable to said operators. Further, commercial ground transportation operators will procure or cause to be procured all licenses, insurance, permits, and pay all fees therefore necessary for the conduct of operations contemplated by these Rules and Regulations.

4.06 DRIVER COGNIZANCE AND UNDERSTANDING

Commercial ground transportation operators shall provide each of their Drivers with a copy of these Rules and Regulations governing commercial ground transportation services and commercial vehicles at the Airport. Operators shall ensure that each of their Drivers is cognizant of their responsibilities and understands these regulations.

SECTION 5.00 GROUND TRANSPORTATION OPERATOR REQUIREMENTS

5.01 CONDUCT OF OPERATORS AND THEIR DRIVERS

- a. Commercial ground transportation operators shall so conduct and carry on their business at the Airport so as to maintain a friendly, cooperative relationship with its competitors engaged in like business at the Airport and shall not engage in open, notorious, and public disputes, disagreements, or conflicts tending to deteriorate the quality of service of the commercial ground transportation operator or their competitors or be incompatible to the best interest of the Airport and the public at the Airport. The Airport Director or his designee shall reserve the right to resolve all such disputes, disagreements, or conflicts. The Director's or his designee's determination thereof, or the manner in which the commercial ground transportation operator shall thereafter operate, shall be binding upon the commercial ground transportation operator.
- b. Drivers shall conduct themselves in an orderly and proper manner at all times so as not to annoy, disturb or be offensive to passengers and others in the Terminal and at the Airport. Drivers shall not provide misleading information concerning their own or any other commercial ground transportation service or other services at the Airport. In no case shall a Driver interfere with another commercial ground transportation operator and his/her passengers.
- c. Drivers shall not loiter inside the Terminal, except for use of rest rooms or purchasing meals. Any driver picking up a reservation shall wait for their passengers in the first floor lobby area with a sign.
- d. Commercial ground transportation operators shall not allow their vehicles to be used for sleeping or lounging or for any unnecessary gathering of persons other than passengers.

- e. Commercial ground transportation drivers shall maintain proper appearance and personal hygiene. Sleeveless or collarless shirts, cut-off slacks or pants, and open-toed shoes are not to be worn by Drivers. Wearing shorts, "Bermuda" length or longer, is allowed. Driver's clothing must be neat, clean, and free from holes. Male drivers shall be clean-shaven or shall maintain neatly-trimmed mustaches or beards. Drivers shall keep their hands and face clean and shall control offensive interior vehicle odors.
- f. No Driver shall operate a commercial vehicle for hire while under the influence of an intoxicating beverage or drug that impairs his/her ability to drive.
- g. No Driver shall carry or convey gasoline or other flammable motor fuel when transporting passengers for hire, other than the fuel in the vehicle's fuel tank.
- h. Placing, throwing, or dropping litter, waste, refuse or rubbish in the Terminal or anywhere on Airport premises by Drivers is prohibited.
- i. Commercial ground transportation operators shall not permit any Driver or person to occupy their vehicle(s) for the purpose of prostitution or for any other lewd or indecent act or any unlawful act.
- j. No Operator shall have in his/her possession a lighted cigarette, cigar, or pipe while a passenger is being transported.
- k. No commercial ground transportation operator shall carry in their commercial vehicle(s) or have in their dispatch center any device to monitor or scan the radio frequency of other commercial ground transportation operators other than the frequency assigned to him/her by the Federal Communications Commission. Police and Airport-utilized (ground and tower) frequencies may be monitored.
- l. Only those Drivers that have been pre-hired by an Airport passenger may wait in the Terminal pursuant to the guidelines outlined in Section 7.00 of these Rules and Regulations. The Driver must park the commercial vehicle in the Airport's public parking facilities when the staging area set aside for that specific type vehicle is full. Once the hired passenger has arrived and has his/her baggage, the Driver must proceed from the parking lot to the commercial vehicle staging area designated by the Airport Director for pick-up.
- m. A commercial ground transportation operator or Driver shall be prepared to present himself/herself to the Airport Director or LEO or their agents and employees on reasonable notice to respond to complaints from customers and/or the public.
- n. No Driver shall operate a commercial vehicle while his/her license to operate a motor vehicle is under suspension.

5.02 TRAFFIC AND MOVEMENT CONSIDERATIONS

- a. All commercial vehicles shall load and unload passengers and luggage at the areas designated by the Airport Director.
- b. Access to the Commercial Vehicle Staging Area ("staging area") shall be limited to commercial ground transportation vehicles and other vehicles authorized by the Airport Director (i.e. display an access permit in the form of a decal), and access shall be granted only to those vehicles with operators who possess a valid AVI Tag that activates a mechanical gate. Loading of passengers in these areas is permissible, but unloading of passengers shall take place at curb-side in front of the Terminal unless otherwise specified by the Airport Director.

- c. Commercial ground transportation operators shall not have any policy promoting or requiring excessive speed and unsafe driving by its Drivers in operating commercial vehicles on Airport premises. Racing, overcrowding, or illegally entering the staging areas or stopping or parking at any unauthorized place at any time is prohibited. Drivers shall neither stop nor park nor back up their vehicle in such a manner as to obstruct or interfere with traffic, either vehicular or pedestrian at any location on Airport premises.
- d. All commercial deliveries of goods and/or services to the Terminal shall be to the loading dock/commercial delivery area at the north end of the Terminal, accessible from Ammon Drive to Green Drive. Commercial delivery vehicles shall include vehicles which pick up or deliver goods and/or services to the Terminal and/or its tenants. All baggage services shall also use this area to pick up baggage from airlines. All armored car services, postal vehicles, food deliveries, equipment deliveries, and service vehicles shall be included. Use of the said loading dock/commercial delivery area shall not exceed fifteen (15) minutes without the prior approval of the Airport Director or his designee.
- e. A commercial vehicle left unattended in violation of these rules and regulations is considered illegally parked and may be ticketed and towed from the area at the ground transportation operator's expense.
- f. Drivers shall neither double park, nor gather in, congregate in, obstruct entrances or passageways of the Terminal, nor obstruct roadways or Airport buildings in a manner that annoys or impedes the movement of vehicles and passengers.
- g. All drivers must be able to move their vehicles immediately when requested during snowstorms for plowing purposes.
- h. No Driver or other person shall clean or make repairs to commercial vehicles anywhere on Airport premises, except minor repairs necessary to remove such vehicles from the Airport premises. No commercial ground transportation operator, Driver or other person shall move, interfere with or tamper with any motor vehicle part, instrument, or tool thereof, without permission of the vehicle owner.

5.03 COMMERCIAL VEHICLES

- a. Commercial vehicles shall be kept clean, in first class running condition, in good repair, free from rust, dents, torn upholstery, and unpleasant odors.
- b. Commercial vehicles shall possess functional, visible seat belts for all passengers.
- c. All commercial vehicles must display a valid inspection sticker issued by the state in which the vehicle is registered.
- d. All commercial vehicles must display a decal evidencing a valid Access Permit or Concession Agreement issued by the Airport.
- e. Every holder of an Access Permit or Concession Agreement shall immediately repair, off Airport premises, any mechanical or other defects of his/her vehicle reported to him/her by a Driver or any agent or employee of the Airport or LEO and shall not operate or permit any vehicle not in a fit condition to be operated as a commercial vehicle.
- f. Every Access Permit or Concession Agreement holder shall present his/her commercial vehicle for examination at any time requested by an agent or employee of the Airport or LEO. No Access Permit or Concession Agreement holder or Driver, at any time when his/her vehicle is not under hire, shall prevent or hinder an agent or employee of the Airport or LEO from inspecting the vehicle.

- g. Any agent or employee of the Airport or LEO who believes that a commercial vehicle or its equipment is mechanically defective or cosmetically damaged shall immediately advise the operator to make repairs (the use of duct tape is not acceptable for any type of repair). The time frame for repair, depending on the extent of damage, shall be at the Airport's discretion. If Airport staff or LEO determines a vehicle is mechanically defective to a point that is unsafe for the transport of Airport passengers, the operator shall not use the commercial vehicle for hire until all necessary repairs indicated by the Airport have been effected.
- h. When an agent or employee of the Airport or LEO has made an appointment for the inspection of a commercial vehicle pursuant to these Rules and Regulations and if said vehicle is not presented at the time and place specified for such inspection and/or repaired accordingly if needed, the Airport Director or his/her agent or employee or LEO may remove the Access Permit Decal issued in respect to such commercial vehicle until such time as the commercial vehicle has been presented, inspected, tested and approved.
- i. Commercial vehicles shall be equipped with a spare wheel/tire ready for use along with tools and equipment required to change the wheel/tire.

5.04 TAXICAB OPERATION

- a. Drivers are prohibited from soliciting passengers for hire after or while dropping passenger(s) at the Terminal.
- b. Upon entry into the Airport without passengers or after discharging passengers at the Airport, Drivers shall proceed at once by the most direct route to the proper staging area or immediately leave the Airport premises. Backing up vehicles to the staging area is prohibited.
- c. The Driver occupying the position at the head of the main staging area shall never leave his/her vehicle unattended, and shall accept the next passenger who approaches his/her vehicle desiring to hire the vehicle. No Driver may refuse to accept a passenger for any reason nor refuse to transport passenger(s) except for the reasons enumerated below:
 - (i) the passenger is not immediately prepared to leave or tries to engage the Driver before retrieving his/her baggage from the baggage claim area;
 - (ii) such person is drunk or disorderly;
 - (iii) the Driver is engaged in answering a previous request for service;
 - (iv) the driver has reason to believe that the person is engaged in unlawful conduct; or
 - (v) the Driver is in fear of his/her personal safety.
- d. The Driver occupying the position at the head of the remote taxi queue shall never leave his/her vehicle unattended and shall be ready to move forward as soon as the light turns green (indicating a taxi has left the main staging area, opening up the fifth taxi position).
- e. When the hired commercial vehicle leaves the head of the staging area, the next vehicle in line in the staging area shall proceed to the head of the staging area and each vehicle at its rear shall at once move forward in the staging area.
 - (i) Drivers of the subsequent positions in both the main staging area and remote taxi queue may leave their vehicles unattended for a brief period of time for personal needs or lunch break, however they should be able to immediately return to their vehicle upon being paged (or contacted by radio/cell phone); or, they should arrange to have their vehicle moved forward on their behalf.

- (ii) In the instance where the line has moved forward and the driver of an unattended vehicle has not returned within five minutes after being notified, the driver of the vehicle immediately to the rear may move around the unattended vehicle with no penalty. The driver of the unattended vehicle remains in the same position and does not move forward until the line moves again.
- f. Except as otherwise provided herein, Drivers of commercial vehicles leaving their vehicle(s) unattended in the staging areas for extended periods, will result in the unattended vehicle(s) being towed from the staging areas at the operator's sole expense.
- g. Drivers in either the main or remote staging area shall not remove their vehicle from its position in the line without losing said position. Any permitted operator who moves his/her vehicle from either staging area for any reason, must proceed to the rear of the line of the remote staging area.
- h. Drivers who miss a fare due to their being away from their vehicle for any reason must move their vehicle to the end of the line in the remote taxi queue staging area.
- i. Commercial vehicles, when not in the staging area, either shall be driven off Airport premises or parked in the Airport public parking facilities.
- j. Taxicab Drivers, shall at no time while in the Terminal and on Airport premises, by words, gestures, or otherwise solicit, persuade or urge any person to use or hire any taxicab, except the taxicab at the first position in the staging area, whose driver, if approached by a passenger, may ask if they need a ride.
- k. No front seat riders are allowed in any taxicab unless: 1) the rear seat has two (2) passengers; 2) the passenger is elderly or disabled and cannot readily enter the rear compartment of the vehicle; or 3) the rider is a driver-trainee with a written time-limit and dated consent form from the taxicab owner.
- l. Taxicab operators must pick up all reservation business in the reservation staging area on the Lower commercial curb, including any reservation business made while in line in the Taxicab queue.
- m. Bargaining of fares at an airline counter by either taxicab operators or the airline is expressly prohibited.
- n. Cruising on Airport premises is prohibited.
- o. When a passenger enters a commercial vehicle and gives the Driver the desired destination, the Driver shall take the most expeditious route to this location unless: 1) the passenger designates another route which is equal in time and distance; or 2) the commercial vehicle is on a scheduled route.
- p. The commercial ground transportation operator shall provide the passenger a receipt, upon request, showing the operator's name and Access Permit number. The receipt is to be signed in legible writing by the Driver.
- q. No passenger shall be required to pay more for the transportation received than the rates that are stipulated by the Airport.
- r. The commercial ground transportation operator shall accept payment for services by valid currency of the United States of America, traveler's checks or credit cards. Refusal to accept any of these types of payments shall be deemed a refusal to transport a passenger.

- s. The name or trade name and/or the address of the taxi operator shall be clearly, neatly and professionally painted on the doors or sides of the taxicab. Taxicabs may possess other identifying markings satisfactory to the Airport Director or his designee.

5.05 OTHER

- a. Items of value left in commercial vehicles by a passenger shall be delivered by the Driver or commercial ground transportation operator without delay to the Airport's Lost and Found located in LEO office in the Terminal.
- b. Commercial ground transportation operators will advise the Airport Director in writing within three (3) working days of any change of address or telephone number.

5.06 AIRPORT TAXI SERVICE DRIVER'S LICENSE

- a. License Required – No person shall drive an airport permitted taxi (taxicab) unless he/she shall have secured a license as herein provided.
- b. Application – Application for an Airport Taxi Service driver's license shall be made to the Manchester-Boston Regional Airport upon a form determined by the Airport. This application shall include:
 - (i) The name, age, home address, social security number, and telephone number of the applicant.
 - (ii) Statement of whether applicant is employed by a licensed taxicab company, leases a vehicle or services from a taxicab company, or is in any manner affiliated with one or more taxicab companies as an independent contractor.
 - (iii) Proof of possession of a valid driver's license. A complete motor vehicle record obtained by the airport for the five years preceding the application from the Motor Vehicles Records Division, State Police, Department of Safety, State of New Hampshire and/or from the appropriate out-of-state agency or agencies if not a resident of New Hampshire during the five years preceding the application.
 - (iv) A statement signed by the applicant that his/her physical and mental health is clear of any incident or history that might demonstrate an inability to safely operate a taxicab.
 - (v) A complete criminal record obtained by the airport of the applicant from the Criminal Records Division, State Police, Department of Safety, State of New Hampshire, and/or from appropriate out-of-state agency or agencies if not a resident of New Hampshire during the five years preceding the application.
 - (vi) Airport will take a passport-size photograph of the applicant.
 - (vii) Any other information reasonably required by the Airport.
 - (viii) The results of a drug screening urine test for potential drug use, conducted in accordance with the provisions of this section as evidence that he/she does not use illegal drugs.
- c. Standards for denial – In addition to the application requirements set forth in this section, a license to drive a taxicab shall be denied to the following persons:
 - (i) An applicant who has not attained the age of eighteen (18) years.

- (ii) An applicant who has received a disqualifying criminal conviction, or who has been imprisoned at any time during the period for a disqualifying criminal conviction, provided that the conviction was for an offense which rationally related to the purpose of licensing Airport Taxi Service drivers. For the purposes of this provision, a disqualifying criminal conviction shall be defined as any felony conviction, as well as any conviction involving a controlled substance or violence, theft, or endangering the welfare of a child or incompetent.
 - (iii) An applicant who has received a disqualifying motor vehicle conviction, or whose privilege to operate a motor vehicle in any jurisdiction has been revoked and/or suspended at any time during the five years preceding the application for any reason. For the purposes of this provision, a disqualifying motor vehicle conviction shall be defined as any certification as a habitual offender by the Division of Motor Vehicles of the Department of Safety, conviction for operating after certification as a habitual offender, reckless driving, disobeying a law enforcement officer, driving while under the influence of drugs or alcohol, aggravated driving while intoxicated, or similar out-of-state offenses.
 - (iv) An applicant who is under suspension or revocation from activities conducted in the City of Manchester. Exception: An applicant whose license has been revoked for failing to renew in a timely manner may be considered for licensure.
 - (v) Conviction of multiple motor vehicle violations of such a nature and/or number during the five years preceding the application as to indicate a habitual offender or frequent disregard for traffic laws, for the safety of others using the roads, or for the safety of his or her fares.
 - (vi) An applicant who is denied an Airport Taxi Service driver's license under the standards of this section may file a written request for a review of the application before the Airport Director or his designees. The Director or his designees will approve or disapprove the fitness of the applicant for an Airport Taxi Service driver's license. The Director or his designees may require the submission of qualifying evidence to make an assessment, including character references and/or evaluation by a qualified professional, and may set such conditions as it deems appropriate as a condition of licensure.
 - (vii) An applicant who is required to register as a sexual offender or as an offender against children under New Hampshire RSA 651-B:6.
- d. The Airport shall issue an original or renewed license after receipt of application or renewal documentation and upon full review by appropriate personnel.
 - e. During each licensing year, the Airport shall coordinate random drug tests of licensed Airport Taxi Service drivers in accordance with the provisions of this section.
 - f. Before a license is granted to a driver, he/she shall pay a fee of \$120.00.
 - g. Any applicant approved as an Airport Taxi Service driver must pay a two-year fee of \$120.00. Each license to drive a taxicab shall expire on a two-year term. Renewal of each license must be requested at least thirty (30) days prior to license expiration. Licenses not renewed after expiration shall be revoked. Criminal and motor vehicle conviction records for the previous twelve (12) months obtained by the airport, a passport-size photo acquired by the airport and a copy of the driver's license shall accompany the application for a two-year license renewal.

- h. The Airport shall deliver to the licensee three identification cards, two cards are approximate size of four inches by six inches and third identification is a badge, setting forth the number and terms of the license, a photograph, permit number, the driver name, company name and expiration date. The licensee shall, when driving or in charge of a taxicab, display the card conspicuously on top of the passenger side of the dashboard and hanging on the passenger backseat for the passengers to view and wearing an airport badge, while parked in the staging area for random inspection by the Airport Director or LEO or their agents and employees.
- i. Suspension or Revocation of License
- (i) The Airport Director or his designee shall have the responsibility of establishing the procedure for screening applicants for licenses issued under this section, for assigning additional penalties for noncompliance with this section, and for the suspension, revocation, revision, or reinstatement of such licenses as provided herein.
 - (ii) No Airport Taxi Service driver's license shall be effective for the purpose of this section during any period in which the driver's motor vehicle license is suspended or revoked, or following a positive drug test as provided for under this section until such license is reinstated by the Airport Director or his designees.
 - (iii) A license may be suspended or revoked if the driver is found in violation of any of these Rules and Regulations herein or for cause. The Airport shall make reasonable attempts to notify the licensee in writing of his decision using the licensing information available to him. The licensee may make an appeal of this decision to the Airport Director or his designees and shall make a written request for a hearing within ten days of the date of the notice of the decision. The Airport shall schedule a hearing within ten days of the licensee's request, notifying the licensee of the date. Except where the underlying circumstances of the suspension or revocation represent an immediate danger to the lives, health, or safety of the Airport's passengers, the suspension or revocation shall be stayed pending a reasonable opportunity for the licensee to be heard before the Airport Director or his designees. The Airport Director or his designees may restore the license, sustain the suspension or revocation, or otherwise set such conditions on the license as deemed appropriate. The licensee will be notified of the decision of the Airport Director or his designees that shall be final. If the licensee fails to request a hearing within the allowed time-frame, the suspension or revocation shall be allowed to take effect.
 - (iv) A license may be suspended or revoked upon a finding that the licensee has falsified any record, document, or information required by this section to be kept or submitted, or failure to supply information asked or required of the applicant.
 - (v) A license may be suspended or revoked upon finding that the licensee has engaged in any loud argument, fight, or other disturbance; harassed, threatened or assaulted another person; intentionally damaged, destroyed or threatened to damage or destroy any property; or in any other manner engaged in conduct detrimental to the safe and efficient transportation of passengers.
 - (vi) Licenses granted under this subsection shall remain the property of the Manchester-Boston Regional Airport and shall be surrendered to the Airport during a period of suspension or after revocation.

j. Nontransferability

- (i) No Airport Taxi Service driver's license shall be transferred to another individual.

k. Drug and Alcohol Policy

- (i) It is the policy of the Manchester-Boston Regional Airport that its licensed drivers of taxicabs (licensees) be free of substance abuse. The abuse of alcohol or the use of illegal drugs reduces the driver's awareness and increases the potential for accidents. Substance abuse thereby increases both the risk of injury to fares and customers of the Airport and the risk of damage to public and private property.
- (ii) It is the policy of the Manchester-Boston Regional Airport that the use or possession of alcoholic beverages or illegal drugs by taxicab licensees while on duty is prohibited. Licensees shall not report for duty under the influence of alcoholic beverages or with sufficient amounts of illegal drugs in their system so as to give rise to a positive drug test or impair their job performance. For the purposes of this section, the term "illegal drug" means any intoxicant, any narcotic, marijuana, or any controlled drug, except for medication prescribed by a licensed physician, presuming the use of such is consistent with the prescription and with the operation of a motor vehicle. Violations of this policy shall result in disciplinary action, including immediate suspension of license.
- (iii) A licensee is expected to report for duty in an appropriate mental and physical condition for work. Accordingly, a licensee shall not work or report to work under the influence of alcohol or illegal drugs. A licensee shall be deemed under the influence of alcohol if he/she has an alcohol concentration of 0.04 or more or is impaired to any degree as a result of the consumption or use of alcohol. A licensee shall be deemed under the influence of illegal drugs if he/she has sufficient quantities of controlled drugs in his/her system to give rise to a positive finding on a drug test or is impaired to any degree as a result of the consumption, inhalation, or injection of alcohol, drug, or any other intoxicating substance, or any other combination thereof. Furthermore, a licensee shall not consume alcohol or possess an open container while on duty, engage in any drug-related conduct prohibited under state or federal law, or engage in any other manner of conduct involving alcohol, drugs or any other intoxicating substance which adversely affects his/her job performance or is detrimental to the safety of his/her fares and the public.
- (iv) Pre-Licensing - All applicants for licensure must submit to a drug test as evidence he/she does not use illegal drugs. The test shall be conducted by a local physician, lab or hospital in accordance with Department of Health and Human Services (hereafter DHHS) standards. The applicant shall complete the test at a time and place specified by the Manchester-Boston Regional Airport.
- (v) Random – The Airport also conducts random drug and alcohol testing. All licensees will be included in a random selection system. This shall provide an equal chance for each licensee to be selected for each random test. Accordingly, a particular licensee may be selected for successive tests or may not be selected at all throughout the year. The Airport shall annually test a minimum of 50% of its licensees for drugs and a minimum of 25% of its licensees for alcohol. Upon notification of selection, a licensee shall complete the test at a time and place specified by the Airport. A local physician, lab or hospital in accordance with DHHS standards shall conduct the test at the Manchester-

Boston Regional Airport. All random drug and alcohol tests shall be paid for by the Airport, however any other costs associated with a second analysis of the licensee's specimen, counseling, treatment or other medical follow-up shall be paid for by the licensee.

- (vi) Substances for which to be tested – Any applicant who tests positive for the presence of any of the drugs set forth herein shall be deemed unsuitable for licensure. Any licensee who tests positive for any of the substances set forth herein shall be deemed unsuitable for continued licensure and shall be subject to the provisions of Section 5.06(k)(xi). The substances for which the Airport may test are as follows: Alcohol, amphetamines, cocaine, marijuana, opiates and phencyclidine. The Airport reserves the right to expand the scope of substances for which it will test at any time.
- (vii) Refusal to test – Any person licensed to drive a taxicab by the Airport shall be deemed to have given consent to the drug and alcohol tests employed by the Airport under this section. Accordingly, refusal to submit to any drug and alcohol test established herein shall be grounds to suspend a license. Any conduct intended to obstruct or unreasonably delay the proper administration of a test shall be deemed a refusal to submit to the test. In the event that a licensee cannot provide a sufficient urine or breath specimen, the Airport may direct the individual to a physician for purposes of evaluation. If the physician cannot find a legitimate medical explanation for the licensee's inability to provide a sufficient urine or breath specimen, the licensee shall be deemed to have refused to take the test.
- (viii) Substance abuse evaluation; Return to duty; Follow-up testing – Any licensee who engages in prohibited conduct shall be provided with the name, address and telephone numbers of a qualified substance abuse professional (SAP.) In order to requalify for a license, the licensee shall be evaluated by the SAP, submit to any treatment the SAP prescribes, and successfully complete a return to duty drug and/or alcohol test. The licensee shall also be subject to follow-up testing. Follow-up testing is separate from and in addition to any pre-licensing or random testing procedures. The schedule for follow-up testing shall be unannounced and in accordance with instructions of the SAP. Follow-up testing may continue for a period of up to twelve (12) months following the licensee's return to duty. Follow-up testing shall consist of no fewer than six (6) tests. The cost of any SAP evaluation, prescribed treatment, return to duty and follow-up testing shall be paid by the licensee. Under no circumstances does this subsection limit or in any way affect the authority of the Airport Director or his designee to prescribe the period of suspension or revocation deemed appropriate.
- (ix) Laboratory Procedures – All specimens collected under this section will be submitted to a laboratory certified by DHHS. All specimens initially testing positive will be confirmed by a subsequent confirmation test before the laboratory reports a result as positive. The laboratory shall report all positive laboratory test results to the Medical Review Officer. The licensee or applicant shall also be notified of any positive laboratory test results and have an opportunity to explain to the Medical Review Officer such result. In the event the Medical Review Officer determines there is no legitimate basis for the licensee's objection, the test will stand as reported. In the event the Medical Review Officer determines there is an explanation for the positive test result other than the use or abuse of illegal drugs or alcohol, the test result shall be reported back as negative.
- (x) A licensee or applicant whose test results are positive may, at his/her own expense, request a retest of the original sample. Such a request shall be made

within seventy-two (72) hours of the licensee or applicant being notified of the original test results; otherwise, any right to retest shall be waived. The retest shall be performed by a DHHS certified lab. In the event the retest demonstrates a negative result, the licensee will be reimbursed for the cost of the retest.

- (xi) In addition to any other penalty permitted under this section, a licensee shall be subject to immediate suspension in accordance with the procedures established in Section 5.06(i) if he/she: engages in prohibited conduct set forth in Section 5.06(k)(iii); refuses to submit to any drug and alcohol test which the Airport may administer under this section; or fails to comply with the provisions of Section 5.06(k)(viii). Notwithstanding any other provisions of this section, any licensee having an alcohol concentration between .02 to .039 shall immediately be suspended for a period of ten days. If the licensee has any subsequent violation of any alcohol prohibition, he/she shall be required to comply with the provisions of Section 5.06(k)(viii) in order to requalify for licensing.
- (xii) Confidentiality – Individual test results and rehabilitation records, if any, for applicants and licensees shall only be used to determine adherence to this section and in defense of any administrative or judicial action initiated by the licensee against the Airport or the City of Manchester. Unless release is required by law, the test results and rehabilitation records shall be kept strictly confidential and released only upon written consent of the person who submitted to the test. However, any individual who has submitted to drug testing in compliance with this section is entitled to access to his/her records related to such testing upon written request as long as such is available. All test result records will be kept separate from the individual driver's records to ensure confidentiality.

- I. A taxicab company shall notify the Manchester-Boston Regional Airport within three working days of receipt of knowledge that an Airport Taxi Service driver associated with the taxicab business has had his/her motor vehicle operator's license suspended or revoked by the state. Similarly, if the Manchester-Boston Regional Airport shall be made aware that an Airport Taxi Service driver has had his/her motor vehicle operator's license suspended or revoked, he shall notify the taxicab business of the suspension of the licensee's Airport Taxi Service driver's license by the Airport.

SECTION 6.00 COMMERCIAL GROUND TRANSPORTATION OPERATOR DEFINITIONS

6.01 TAXICAB SERVICE

- a. Description - A commercial passenger vehicle for hire, designed and/or constructed to accommodate and transport passengers, operated pursuant to an executed Access Permit issued by the Airport, which is equipped with a functional odometer to indicate and determine the passenger fare charged for distance traveled, and engaged in the general transportation of persons, not on regular schedules, with routes and the destinations determined by the passenger.
- b. General System - Non-concession taxicabs operating under an Airport Access Permit shall operate on a non-exclusive basis from passenger loading, unloading and staging areas as designated by the Director. Non-concession taxicabs will progress through the staging areas and passenger loading/unloading areas to depart the Airport.
- c. Privileges Granted - The non-concession taxicab operator is provided the non-exclusive privilege of transporting passengers and property by taxicab from the Airport, to any and all points outside Airport premises.

- d. Taxicab Operation Requirements - The non-concession taxicab operator will be responsible for the following:
 - i. Insuring the smooth, orderly loading and departure of the taxicabs;
 - ii. Maintain order in the designated taxi staging areas and loading/unloading areas;
 - iii. Direct patrons to alternative forms of transportation if requested.
- e. Rules and Regulations – The non-concession taxicab operator shall comply with all other appurtenant requirements of these Rules and Regulations.
- f. Rates and Charges Made Available. Airport-approved rates and charges for all non-concession taxicabs will be made available by the driver to any passenger or potential passenger; refer to provisions (g) and (h) below for details. This provision shall not be construed to limit or conflict with Section 4.03 above, which prohibits solicitation at the Airport.
- g. Airport-Regulated Taxi Rates for On-Demand Taxi Service from the Curb. The Taxicab Operator shall charge all passengers being transported from the Taxi Curb the appropriate rate based on the Manchester-Boston Regional Airport Taxi Fare Schedule for Greater Manchester. For fare destinations outside the flat rate zones, the operator shall set his/her odometer at zero prior to departure from the curb, and upon reaching the destination, calculate the fare based on the mileage times the rate per mile, plus additional passenger fees, if applicable.
- h. Taxicab Rates for Previously-Arranged Reservation Service – refer to Section 6.02, Paragraph e.
- i. Fees and Charges - As stipulated in the Airport Tariff as approved by the Airport.

6.02 RESERVATION SERVICE

- a. Description - The pre-arranged for-hire unmetered transportation of passengers with rates determined by the Ground Transportation Operator.
- b. General System – Reservation service vehicles shall be operated from loading/unloading areas as designated by the Director. Such vehicles may load/unload only passengers whose transportation by such vehicles has been arranged prior to such vehicle's entry onto Airport premises. The reservation service operator may cause a direct line telephone service to be installed between its operating facility and the Airport and pay the appropriate charges.
- c. Privileges Granted - The reservation service operator is provided the non-exclusive privilege of transporting passengers and property from the Airport to any and all points outside Airport premises on a non-scheduled basis.
- d. Rules and Regulations - The reservation service operator shall comply with all other appurtenant requirements of these Rules and Regulations.
- e. Rates and Charges Made Available - Approved rates and charges for reservation service will be made available by the Driver to any passenger or potential customer. The Airport reserves the right to review the reasonableness of rates and charges for reservation service. This includes taxi companies operating on a reservation basis. This provision shall not be construed to limit or conflict with Section 4.03 above, which prohibits solicitation at the Airport.
- f. Fees and Charges - As stipulated in the Airport Tariff as approved by the Airport.

6.03 SCHEDULED SHUTTLE SERVICE

- a. Description - An unmetered passenger vehicle for hire, operated pursuant to a concession agreement and with an Access Permit issued by the Airport, transporting passengers and property at regularly scheduled times and along routes to and from Airport premises, to designated off-Airport locations.
- b. General System - A scheduled shuttle service concessionaire has the non-exclusive privilege to load/unload and stage vehicles engaged in providing scheduled shuttle service only from staging areas designated by the Director. The concessionaire may load Airport passenger business only at the staging area designated by the Airport Director.
- c. Privileges Granted - The scheduled shuttle service concessionaire is provided the non-exclusive privilege of transporting passengers and property by shuttle vehicles from the Airport, to any and all points outside Airport property on a scheduled basis.
- d. Rules and Regulations - The scheduled shuttle service concessionaire shall comply with all other appurtenant requirements of these Rules and Regulations.
- e. Rates and Charges Made Available. Approved rates and charges for all scheduled shuttle service will be made available by the Driver to any passenger or potential passenger. This provision shall not be construed to limit or conflict with Section 4.03 above, which prohibits solicitation at the Airport.
- f. Fees and Charges - As stipulated in the executed Access Permit between the Airport and the permittee.

6.04 BUS SERVICE

- a. Description - An unmetered commercial passenger vehicle for hire, which is properly licensed by the New Hampshire Motor Vehicles Department, operated pursuant to an Access Permit issued by the Airport, and which is operated as a bus service on a scheduled or non-scheduled basis to transport passengers and property between the Airport and sites off Airport premises.
- b. General System - A bus operator has the non-exclusive privilege of staging, loading and unloading passengers and luggage at areas so designated by the Airport Director.
 - i. Scheduled Bus Service - The scheduled bus service operator has the non-exclusive privilege of staging, loading and unloading passengers and luggage in areas so designated by the Airport Director.
 - ii. Non-Scheduled Bus Service – The non-scheduled bus operator may load/unload only passengers whose transportation by such vehicle has been arranged prior to such vehicle's entry onto Airport premises.
- c. Privileges Granted - The bus operator is provided the non-exclusive privilege of transporting passengers and property by bus from the Airport to any and all points outside Airport premises on a scheduled or non-scheduled basis.
- d. Rules and Regulations - The operator of a bus service shall comply with all other appurtenant requirements of these Rules and Regulations.
- e. Rates and Charges Made Available. Approved rates and charges for buses, scheduled or non-scheduled service, will be made available by the driver to any passenger or potential

passenger. This provision shall not be construed to limit or conflict with Section 4.03 above, which prohibits solicitation at the Airport.

- f. Fees and Charges - As stipulated in the Airport Tariff as approved by the Airport.

6.05 COURTESY VEHICLES

- a. Description - A commercial vehicle operating between the Airport and the Hotel, Off-Airport Car Rental or Off-Airport Parking operator's facility on a non-scheduled basis operating pursuant to an Airport Access Permit.
- b. General System - Courtesy vehicle operators shall be operated from loading/unloading areas as designated by the Airport Director. The Courtesy vehicle operator may cause a direct line telephone service to be installed between its off Airport facility and the Airport, and pay the appropriate charges.
- c. Privileges Granted - The courtesy vehicle operators are provided the non-exclusive privilege to load and unload passengers and property made in connection to passengers' accommodations at the operator's facility.
- d. Rules and Regulations - The courtesy vehicle operator shall comply with all other appurtenant requirements of these Rules and Regulations.
- e. Fees and Charges - As stipulated in the Airport Tariff as approved by the Airport.

6.06 OFF-AIRPORT PARKING OPERATORS (a/k/a PARK & FLY) CONCESSION

- a. Description - A commercial Off-Airport parking service, which operates a commercial vehicle, or by its own employees, agents or contracted for services, to transport passengers between the Off-Airport parking facility and the Airport operating pursuant to an Airport Access Permit.
- b. General System - Off-Airport parking operators shall have the non-exclusive privilege to use and have access to Airport roadways for, and in connection with, the transporting of Airport passengers and their baggage between the operator's off-Airport parking lot and the Airport. Under no circumstances shall the off-Airport parking operator transport passengers other than those utilizing its off-Airport parking service. Such operators have the non-exclusive privilege of utilizing loading/unloading area as designated by the Director. The off-Airport parking operator may cause a direct line telephone service to be installed between its off-Airport parking facility and the Airport, and pay the appropriate charges. Drivers of off-Airport parking operators' vehicles shall not park in areas other than the staging areas designated by the Airport Director.
- c. Privileges Granted - The off-Airport parking operator is provided the non-exclusive privilege of transporting passengers and property by courtesy vehicles between the off-Airport parking facility and Airport premises on a non-scheduled basis.
- d. Rules and Regulations - The off-Airport parking operator shall comply with all other appurtenant requirements of these Rules and Regulations.
- e. Rates and Charges Made Available - Approved rates and charges for off-Airport parking will be made available by the Driver to any passenger or potential customer. This provision shall not be construed to limit or conflict with Section 4.03 above, which prohibits solicitation at the Airport.
- f. Fees and Charges - As stipulated in the Airport Tariff as approved by the Airport.

6.07 CAR RENTAL - CONCESSION

- a. Description - A commercial car rental business, operated pursuant to a concession agreement with the Airport, which is engaged in the business of renting or leasing unmetered motor vehicles to Airport passengers and the general public on a non-scheduled or scheduled basis, maintains terminal counter space, office space (as agreed upon), service facilities and parking areas and on Airport premises for the purposes of conducting said operations.
- b. General System/Privilege Granted - A concessionaire car rental business at the Airport has the non-exclusive right to operate an automobile rental concession and related services at the Airport. The concessionaire also has the privilege of leasing counter, office, storage, ready return parking and ground space at the Airport.
- c. Rules Applicable to Car Rental Concession on Airport Premises:
 - i. Solicitation. Concessionaire shall confine its solicitation of business at the Airport to signs and advertisements that have received the prior written approval of the Director.
 - ii. Open Traffic Lanes. Concessionaire shall keep lanes in the ready return areas of the garage open at all times.
 - iii. Illegal Parking. Concessionaire shall keep Airport roadways, parking lots and staging areas free of rental automobiles. Any unpaid charges for parking of rental car vehicles in the Airport parking facilities and any unpaid fines levied for illegal parking of rental vehicles shall be paid by Concessionaire.
 - iv. Traffic Safety. All employees of concessionaire who operate a vehicle on Airport roadways or elsewhere on Airport premises shall do so in accordance with these Rules and Regulations and the executed concession agreement.
- d. Rules and Regulations - The car rental concession operator, shall comply with all other appurtenant requirements of these Rules and Regulations.
- e. Rates and Charges Made Available - Approved rates and charges for car rental services will be made available by the concessionaire to any passenger or potential customer. This provision shall not be construed to limit or conflict with Section 4.03 above, which prohibits solicitation at the Airport.
- f. Fees and Charges - As stipulated in the executed concession agreement between the Airport and the concessionaire.

6.08 CAR RENTAL - OFF-AIRPORT

- a. Description - A commercial car rental business, located off Airport premises, but engaged in the business of renting or leasing unmetered motor vehicles to Airport passengers and the general public, for the purposes of conducting operations pursuant to an Airport Access Permit.
- b. General System - All off-Airport car rental businesses shall have the non-exclusive privilege of using loading, unloading and staging areas that are designated for courtesy vehicles by the Airport Director. Such vehicles may load/unload at the Airport only passengers whose transportation by such vehicle arises from a car rental transaction whether using their own vehicle or not. The off-Airport car rental business may cause a direct line telephone service

to be installed between its off-Airport car rental facility and the Airport, and pay the appropriate charges. Drivers of courtesy and rental car vehicles shall not park in areas other than areas designated by the Airport Director

- c. Rules Applicable to Off-Airport Car Rental Courtesy and Rental Vehicles:
 - i. Unless another method is approved in advance in writing by the Airport Director, an off-Airport car rental operator shall not deliver actual rental cars to the Airport or allow customers to return these vehicles to the Airport, but shall only utilize courtesy vehicles for picking up and dropping off of customers.
 - ii. Illegal Parking. Off-Airport car rental operators shall keep Airport roadways, parking lots, parking garage and staging areas free of rental automobiles. Any unpaid charges for parking of rental car vehicles in the Airport parking lots and any unpaid fines levied for illegal parking of off-Airport rental vehicles shall be paid by the off-Airport car rental operator.
 - iii. Traffic Safety. All employees of off-Airport car rental businesses who operate a vehicle on Airport roadways or elsewhere on Airport premises shall do so in accordance with these Rules and Regulations and Airport Access Permit.
- d. Rules and Regulations - The off-Airport car rental operator shall comply with all other appurtenant requirements of these Rules and Regulations.
- e. Rates and Charges Made Available - Approved rates and charges for car rental services will be made available by the off-Airport car rental operator to any passenger or potential customer. This provision shall not be construed to limit or conflict with Section 4.03 above, which prohibits solicitation at the Airport.
- f. Fees and Charges - As stipulated in the Airport Tariff as approved by the Airport.
- g. In the operation of the off-Airport car rental business, the operator shall provide a sufficient number of high quality late model automobiles which, to the best knowledge of the operator, are safe and in good repair, free of mechanical defects, clean and properly serviced when delivered to the customer.
- h. The said operator shall agree to register in the State of New Hampshire its rental automobiles for use at the Airport. Notwithstanding the aforesaid, Airport understands that said operator may be a franchise operation and is required to accept rental automobiles from other franchise operators that are located outside the boundaries of the State of New Hampshire and registered elsewhere which may from time to time lessen the number of automobiles used at the Airport that are registered in New Hampshire. The off-Airport car rental operator shall use good faith efforts in implementing the intent of this provision.
- i. Said operator is aware that its patrons may improperly park the rental cars on or at the curb at the Terminal as well as other unauthorized locations on Airport premises and said operator acknowledges that the Airport has the right and obligation to cite and tow away any such improperly parked vehicles so as to protect and preserve for the public the orderly and unobstructed flow of traffic at and through the Airport. Upon reasonable notice given by the Airport, the operator shall be subject to promptly pay on their patrons' behalf without protest, any and all such penalties imposed by such citations and in addition to promptly pay the charges of any tow services imposed by the Airport with respect thereto; provided, however, that prior to imposing any such penalties and/or tow charges, the Airport shall have given the operator reasonable notice and time to remove any improperly parked vehicle used in connection with its automobile rental business. Any default by the operator in payment of said penalties and towing charges, within thirty (30) days of notice having been given, shall constitute a breach of the Access Permit. If any of the operator's vehicles are parked in the

public parking lots or garage on Airport premises, the parking operator shall not release said vehicle until the appropriate charges are paid therefore.

SECTION 7.00 GUIDELINES FOR MEET AND GREET SERVICES

Guidelines, as listed below, are established by the Airport for Meet and Greet Services for the expeditious movement of passengers through the Terminal.

- a. All commercial ground transportation operators and companies providing ground transportation services on a non-scheduled, reservation-only basis may meet and greet individuals or groups in the Terminal only by use of hand-held signs and only in the specific area or areas designated by the Director for meet and greet services.
- b. Meet and greet services must be conducted in a manner that does not obstruct the normal flow of pedestrian traffic through the terminal, and is limited to the first floor lobby/baggage claim areas.
- c. The Driver must display a hand held sign showing the name of the commercial ground transportation operator and either the name of the individual, group or company being met. The sign must be of a professional quality.
- d. Individuals conducting meet and greet services may be required to provide the Director or his designee certain pertinent information about the individual or group being met (passenger's name, flight number, arrival time, etc.). Individuals conducting meet and greet services that are in violation of these guidelines will be required to discontinue their meet and greet activities immediately.

SECTION 8.00 SOLICITATION BY SKYCAPS OR PORTERS PROHIBITED

No skycap or porter performing services at the Airport shall accept payment of any kind in exchange for referral of a customer to a commercial ground transportation operator, or otherwise solicit business on behalf of a commercial ground transportation operator. This rule shall not be construed to prevent either a skycap or porter from receiving a tip for the performance of his/her own skycap or porter services.

SECTION 9.00 PROCEDURE IN CASE OF ACCIDENT

The Driver of any commercial vehicle involved in an accident on Airport premises resulting in injury to any person or damage to any vehicle or property shall immediately stop such vehicle at the scene of the accident and report the accident to the LEO on duty at the Airport. The Driver of such vehicle, within a reasonable time after the occurrence, shall make other reports as may be required by and in accordance with Federal, State, and municipal laws and regulations.

SECTION 10.00 APPLICATION PROCESS FOR ACCESS PERMIT

10.01 APPLICATION FORM

An Access Permit may be obtained by submitting an application to the Airport Administration Office on forms provided by the Airport. Such application must be accompanied by additional documentation, including but not limited to, certificate of insurance, vehicle registration(s), etc. as required by the Airport and further described in the application package. Upon proper submittal of the application form, additional documentation and tariff fee, an Access Permit may be issued and shall constitute a binding agreement to comply with these Rules and Regulations. No Access Permit is required for passenger drop-off only.

10.02 TARIFF FEES

Tariff fees for use of Airport facilities by commercial ground transportation operators shall be approved by the Airport Director. Tariff fees may, at the Airport’s discretion, be modified from time to time.

10.03 INDEMNIFICATION

The commercial ground transportation operator shall indemnify and hold harmless the Manchester-Boston Regional Airport and the City of Manchester, their directors, officers, agents and employees, from and against any and all claims for damages or injuries, including death, to persons or property arising out of or incident to said operator's activities on Airport premises. The Airport shall give to said operator prompt written notice of any such claim or action and said operator shall have the right to investigate, compromise and defend the same.

10.04 INSURANCE

Beginning with the effective date of the Access Permit, the commercial ground transportation operator shall maintain or cause to be maintained in force with responsible insurers licensed to do business in the State of New Hampshire, or state operator is based in, the following kinds and the following amounts of insurance, with such variations as shall reasonably be required to conform to applicable standard or customary New Hampshire insurance provisions, to wit:

- a. Worker's compensation or employer's liability insurance, if applicable, in the following amounts:

- Coverage A - Statutory Requirement
- Coverage B - \$100,000 Per Occurrence
- Coverage C - \$100,000/100,000 Accident and/or Disease
- All States Endorsement

- b. Comprehensive Automobile Liability Insurance with a minimum of \$500,000 combined single limit bodily injury and property damage for each occurrence for all owned, non-owned, and hired vehicles used by the said operator while performing commercial ground transportation services in connection with an Access Permit. Exception: the Airport will also accept a combination of primary Auto Liability coverage and Excess Liability coverage which together total at least the 500,000 minimum limit requirement.
- c. All policies evidencing insurance maintained or caused to be maintained in force by said operator with respect to the Access Permit shall be issued by the home office of the insurer(s) or by a duly authorized agent of the insurer(s) and shall name the City of Manchester and the Manchester-Boston Regional Airport as additional insureds, as their interests shall appear, and shall be deposited with the operator with a copy submitted to the Airport. The Airport shall have the right and is hereby authorized in its own name to demand and sue, collect and receive for claims monies hereunder if operator fails to do so.

10.05 OTHER INSURANCE REQUIREMENTS

- a. The commercial ground transportation operator, on the effective date of the Access Permit and not later than thirty (30) days prior to the expiration of current policies, shall file or cause to be filed with the Airport a certificate of insurance with respect to the Access Permit then in effect pursuant to the requirements of these Rules and Regulations. Such certificate will certify that the Airport will be given thirty (30) prior written notice of non-renewal, cancellation, or other material change.

- b. The operator's obligation under this section shall not affect its right to carry additional insurance solely for its own account provided such additional insurance does not impair the insurance required to be maintained by the Access Permit.
- c. In the event the operator fails to maintain or cause to be maintained the full insurance coverage required by the Access Permit, the Airport will notify the operator in writing that its right to provide commercial ground transportation services at the Airport is terminated.
- d. All liability insurance policies shall include a severability of interest clause with respect to claims, demands, suits, judgements, costs, charges, and expenses arising out of, or in connection with any loss, damage, or injury resulting from the negligence or other fault of said operator or operator's agents, representatives, and employees.
- e. Said operator understands that the Airport's insurance does not extend to cover injury or loss to the operator or its employees or agents that occurs on Airport property that result from the intentional or negligent act or omission of the operator, its employees, or agents. The operator expressly waives any claims against the Airport for such injury or loss.
- f. Insurance companies utilized must be admitted to do business in New Hampshire or be on the Insurance Commissioner's list of approved non-admitted companies and shall have a rating of (A) or better in the current edition of AM Best's Key Rating Guide.
- g. Any and all deductibles will be assumed by the operator.
- h. It shall be the sole responsibility of the operator to ensure that all subcontractors comply with the same insurance requirements set forth in this agreement.

SECTION 11.00 DECALS

11.01 OBTAINING A DECAL

Commercial ground transportation operators shall obtain from the Airport Administration Office an annual Airport Access Permit Decal indicating the operator's authority to operate on Airport premises for the upcoming year. The Access Permit Decal may be obtained by payment in advance of the appropriate annual Access Permit fee as established by the Airport. The Decal shall be attached to each commercial vehicle permitted by the operator on the interior lower right hand corner of the vehicle's windshield.

11.02 REISSUANCE OF A DECAL

The Airport Director or his/her designee or LEO may cause a decal to be removed from a commercial vehicle which at any time fails to meet the minimum standards for appearance, condition, equipment, driver appearance or misconduct, non-payment of Access Permit fees to the Airport, or any other violation of these Rules and Regulations. The decal will be reissued by the Airport's Administration Office at the discretion of the Airport Director or his designee.

11.03 REPLACEMENT DECAL

The Ground Transportation Operator shall be responsible to contact the Airport for reissuance of a decal due to damage, wear or necessary replacement of a windshield. The decal being replaced shall be returned whenever possible, regardless of condition.

11.04 DECAL VIOLATIONS

A commercial ground transportation operator commits a violation for reasons including, but not limited to instances if he or she:

- a. operates a commercial vehicle at the Airport with an expired Decal or with no decal affixed to it;
- b. attaches a Decal to a vehicle not authorized to operate as a commercial vehicle at the Airport; or to a different vehicle than the one to which the Access Permit was issued;
- c. forges, alters, or counterfeits a Decal or possesses a forged, altered, or counterfeited Decal.

11.05 DECAL RENEWAL

The decal expires on the date shown on said decal. Decals shall be renewed effective July 1st of each year. In order to renew a decal, the operator shall either attend in person (or if such owner is a corporation, its duly authorized representative shall attend) or mail to the Airport's Administration Office the required Airport Vehicle Identification Sheet along with an updated insurance certificate, tariff payment, vehicle registration and any other information or payments as required by the Airport.

SECTION 12.00 AVI TAGS

12.01 OPERATION

The assigned AVI Tag is used by the Airport to grant access to the commercial staging areas designated by the Airport Director. Prior to admittance to the commercial staging area, each commercial ground transportation operator shall obtain from the Airport Administration Office an AVI Tag or tags, however many the operator deems necessary. A tag may be used in conjunction with any of the operator's permitted vehicles. Each AVI Tag shall be assigned to a particular ground transportation company and shall at no time be transferred to any other ground transportation company. **Exception: Operators of Taxicab and courtesy vehicles must obtain one AVI Tag for each permitted taxi or courtesy vehicle.**

12.02 OBTAINING AVI TAG

AVI Tags shall be purchased for a one-time fee for the lifetime of the tag, from the Airport Administration Office. The AVI Tag remains the property of the Airport and shall be returned to the Airport Administration Office when no longer in use.

12.03 REPLACEMENT

Lost, stolen, damaged or otherwise inactive AVI Tags must be replaced with a new tag purchased by the operator prior to admittance to the commercial staging area.

12.04 FEES

As stipulated in the Airport Tariff as approved by the Airport.

12.05 DEACTIVATION

The Airport reserves the right to deactivate an operator's AVI Tag(s) and deny access to the commercial staging areas upon violation of any of these Rules and Regulations, failure to maintain appropriate levels of insurance, failure to submit proper registrations and failure to pay all applicable fees. AVI Tags shall be reactivated upon cure of any default identified by the Airport.

SECTION 13.00 SEVERABILITY CLAUSE

If any word, phrase, clause, paragraph, section or other part of these Rules and Regulations shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these Rules and Regulations and the application of such word, phrase, clause, sentence, paragraph, section or other part of these Rules and Regulations to any other person or circumstances shall not be affected thereby.

SECTION 14.00 ENFORCEMENT AND PENALTIES FOR VIOLATIONS

Any commercial ground transportation operator found in violation of these Rules and Regulations shall be subject to the following penalties, unless stated otherwise in these Rules and Regulations and subject to the Airport Director's discretion. Each case will be reviewed on its own merit and appropriate sanctions imposed.

- a. First Violation: - Written Warning placed in file. The Airport reserves the right to impose more severe sanctions to address significant first violations.
- b. Second Violation – Deactivation of AVI tag(s) and removal of the Permit Decal from one or all of the operator's permitted vehicles; possible suspension of the driver and/or company's privilege to provide any commercial ground transportation services on Airport premises for up to seven (7) days.
- c. Any Subsequent Violation:
 - (i) Deactivation of AVI tag(s) and removal of the Airport's Access Permit Decal from all of the operator's permitted vehicle(s) and suspension of the privilege to provide any commercial ground transportation services on Airport premises for thirty (30) days.
 - (ii) Deactivation of AVI tag(s) and removal of the Airport's Access Permit Decal from all of the operator's permitted vehicle(s) and suspension of the privilege to provide any commercial ground transportation services on Airport premises for ninety (90) days.
 - (iii) Deactivation of AVI tag(s) and removal of the Airport's Access Permit Decal from all of the operator's permitted vehicle(s) and suspension of the privilege to provide any commercial ground transportation services on Airport premises for six (6) months.
 - (iv) Deactivation of AVI tag(s) and removal of the Airport's Access Permit Decal from all of the operator's permitted vehicle(s) and permanent suspension of the privilege to provide any commercial ground transportation services on Airport premises; or at the discretion of the Airport Director.
- d. Multiple violations of these Rules and Regulations or any violation of State, Federal, or Local laws may result in immediate suspension of operating rights.

SECTION 15.00 ADOPTION OF RULES AND REGULATIONS SHALL NOT CONSTITUTE GRANT OF RIGHTS

The adoption of these Rules and Regulations is not intended to, and shall not be construed to grant any property right or expectation to any person whomsoever. The Airport expressly reserves the right to amend these Rules and Regulations at any time and in any respect, as well as the right to amend concession agreements and the Airport Access Permits entered into pursuant to the terms hereof by mutual concurrence of the Airport and the holder of any said concession agreement or permit. Additionally, the Airport reserves the right to limit or restrict access to any area of the Airport, without the issuance of prior notice, for reasons including, but not limited to, safety and security of the general public, construction or renovation work at the Airport, or acts of nature. Any person who determines to invest time or financial resources in the provision of a commercial ground transportation service at the Airport does so with the full knowledge of the foregoing Rules and Regulations, and shall have no right or standing to make any claim whatsoever against the Airport by reason of any subsequent amendment to these Rules and Regulations, any amendment to said concession agreement or permit or any limitation or restriction of access to the Airport as aforesaid.

SECTION 16.00 CAPTIONS

The captions or headings of these Rules and Regulations are for convenience only and in no way define, limit or describe the scope or intent of any provision hereof.

SECTION 17.00 APPEAL

Any person questioning a traffic violation or regulation should address such questions to the Airport Director or his designee. The responses from the Airport Director shall be in writing and shall be final.

SECTION 18.00 EFFECTIVE DATE - March 1, 1994

- AMENDED: June 1, 2000 - Added Section 5.06 Taxi Driver Licensing
- AMENDED: June 21, 2000 - Expanded Section 5.06
- AMENDED: January 1, 2001 - Taxi Operators Required to Accept Credit Cards
- AMENDED: July 1, 2001 - Rewrite to Include AVI System and General Updating
- AMENDED: August 9, 2001 - To include Section 5.06 Airport Taxi Service Driver's License, effective as of June 1, 2000; and Section 12:00 AVI Tags, effective July 1, 2001
- AMENDED: April 18, 2006 - Officially changed the name of the Airport
- AMENDED: June 1, 2007 - To revise Off Airport Park and Fly Percentage Fee from twenty (20) percent to ten (10) percent
- AMENDED: November 7, 2019 - Revised Airport Taxi Service Driver's License procedure
- AMENDED: October 1, 2021 - Revised Tariff Fees

“EXHIBIT A”

MANCHESTER-BOSTON REGIONAL AIRPORT
GROUND TRANSPORTATION TARIFF

1. TAXICAB OPERATOR:
 - a. Permit Fee: For each company licensed to operate a commercial ground transportation business at the Airport – Fifty and 00/100 Dollars (\$50.00) in advance annually.
 - b. AVI Tag Fee: For each commercial vehicle permitted by a single Taxicab company operator – Thirty Five and 00/100 Dollars (\$35.00) in advance. NOTE: Taxicab operators must obtain a separate AVI Tag for each vehicle permitted as a taxi as well as each vehicle permitted as a “limo” (reservation-only).
 - c. Privilege Fee – Taxi-permitted vehicle: One and 00/100 Dollar (\$1.00) per trip originating from the Airport. “Limo”-permitted vehicle: One and 50/100 Dollar (\$1.50) per trip originating from the Airport.

2. RESERVATION SERVICE OPERATORS, NON-SCHEDULED SHUTTLE OPERATORS, NON-SCHEDULED BUS OPERATORS:
 - a. Permit Fee: For each company licensed to operate a commercial ground transportation business at the Airport – Fifty and 00/100 Dollars (\$50.00) in advance annually.
 - b. AVI Tag Fee: For each AVI tag deemed necessary by a single commercial ground transportation operator in the categories listed in the title of this Section 2 – Thirty Five and 00/100 Dollars (\$35.00) in advance.
 - c. Privilege Fee - One and 50/100 Dollars (\$1.50) per trip originating from the Airport.

3. SCHEDULED SHUTTLE OPERATORS AND SCHEDULED BUS OPERATORS:
 - a. Permit Fee: For each company licensed to operate a commercial ground transportation business at the Airport – Fifty and 00/100 Dollars (\$50.00) in advance annually.
 - b. AVI Tag Fee: For each AVI tag deemed necessary by a single commercial ground transportation operator in the categories listed in the title of this Section 2 – Thirty Five and 00/100 Dollars (\$35.00) in advance.
 - c. Privilege Fee – One and 50/100 Dollars (\$1.50) per trip, in excess of the published scheduled trips, originating from the Airport.

4. HOTEL COURTESY:
 - a. Permit Fee: For each company licensed to operate a commercial ground transportation business at the Airport – Fifty and 00/100 Dollars (\$50.00) in advance annually.
 - b. AVI Tag Fee: For each commercial vehicle permitted by a single Hotel company operator – Thirty Five and 00/100 Dollars (\$35.00) in advance. NOTE: Hotel operators must obtain a separate AVI Tag for each vehicle permitted.
 - c. Privilege Fee – One and 00/100 Dollars (\$1.00) per trip, in excess of the published scheduled trips, originating from the Airport.

5. OFF-AIRPORT PARKING OPERATOR

a. Off-Airport Parking Operator Courtesy Vehicle Registration Fee:

- (i) Permit Fee: For each company licensed to operate a commercial ground transportation business at the Airport – Fifty and 00/100 Dollars (\$50.00) in advance annually.
- (ii) AVI Tag Fee: For each courtesy vehicle permitted by an Off-Airport Parking Operator Thirty Five and 00/100 Dollars (\$35.00) in advance.
- (iii) Privilege Fee: One and 50/100 Dollars (\$1.50) per trip originating from the Airport.

b. Percentage Fee - Ten Percent (10%) of gross receipts generated from parking vehicles at the off-airport parking site whether or not said fee may be part of another fee or granted free as part of another service offered. Said percentage fee shall be determined by the number of vehicles parked in the off-airport parking facility per day multiplied by the published or advertised daily parking rate. If the parking and transportation services are granted as part of another service, the fee used for multiplication shall be that fee generally charged by either other off-airport parking operators or the Airport's own long term parking lot rate.

c. Actual Percentage Fee Tariff Settlement: Due fifteen (15) days after the end of each three (3) month period.

d. The Off-Airport parking operator shall not cause or allow to be diverted from the Airport any of its parking business in any manner to avoid or reduce its gross receipts upon which the financial obligations owed the Airport are computed.

e. Said operator shall make all books, records, and other pertinent documents of such off-airport parking business available for audit by the Airport and/or its designated representative to ensure compliance with these Rules and Regulations.

6. OFF-AIRPORT CAR RENTAL:

a. Off-Airport Car Rental Courtesy Vehicle Registration Fee:

- (i) Permit Fee: For each company licensed to operate a commercial ground transportation business at the Airport – Fifty and 00/100 Dollars (\$50.00) in advance annually.
- (ii) AVI Tag Fee: For each courtesy vehicle permitted by and Off-Airport Car Rental Operator – Thirty Five and 00/100 Dollars (\$35.00) in advance.
- (iii) Privilege Fee – Not Applicable

b. Percentage Fee - Six Percent (6%) of gross receipts. Gross receipts shall mean the total gross time and mileage amount actually charged to the customer by the Off-Airport rental car operator for or in connection with the use of a vehicle or vehicles contracted for, delivered, rented to, or picked-up by customers/passengers from the Airport regardless of where or by whom the payment is made or where the vehicle(s) is (are) returned. It is expressly understood that this percentage is due on all vehicles rented to individuals who have deplaned from the Manchester-Boston Regional Airport within 48 hours previous to renting the vehicle. The methodology for certification of this section shall be promulgated by airport management.

c. Actual Percentage Fee Tariff Settlement: Due fifteen (15) days after the end of each calendar month.

- d. The Off-Airport car rental operator shall not cause or allow to be diverted from the Airport any of its automobile rental business in any manner to avoid or reduce its gross receipts upon which the financial obligations owed the Airport are computed.
- e. Said operator shall make all books, records, and other pertinent documents of such automobile rental business available for audit by the Airport and/or its designated representative to ensure compliance with these Rules and Regulations.
- f. The Off-Airport car rental operator and the Airport mutually agree to impose and collect a Customer Facility Charge (hereinafter "CFC") effective December 1, 1999 of \$2.25 per rental car day. Proceeds from the CFC shall be used by the Airport to pay debt service associated with the funding of roadway infrastructure including the development of a new entryway road and other capital improvements relating to the Airport operation. Proceeds from the CFC are due and payable without demand by the fifteenth day of each month for the amounts collected for the previous month through the term of the ground transportation agreement. If extraordinary conditions prevail that dictate an adjustment to the CFC, the Airport will provide the Off-Airport car rental operator at least sixty (60) days prior written notice to the change in CFC value.