

1 A bill to be entitled
2 An act relating to temporary airports; amending s.
3 330.27, F.S.; revising the definition of the term
4 "temporary airport"; amending s. 330.30, F.S.;
5 requiring certain documentation to be submitted to the
6 Department of Transportation for temporary airport
7 site approval and temporary airport registration;
8 requiring a temporary airport to obtain registration
9 before operation of aircraft to or from the airport;
10 requiring the department to publish certain notice of
11 receipt of a temporary airport registration
12 application; specifying the period during which such
13 application may be approved or denied; requiring the
14 department to issue registration concurrent with site
15 approval; providing that certain registrations are
16 considered approved under specified conditions;
17 requiring written notice to the department's agency
18 clerk before an applicant takes action based on such
19 default registration; removing a condition for
20 licensure or registration as a temporary airport;
21 prohibiting approval of subsequent registration
22 applications under certain circumstances; revising an
23 exemption from certain provisions for an airport used
24 for aerial application or spraying of crops; providing
25 an effective date.

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Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 330.27, Florida Statutes, is amended to read:

330.27 Definitions, when used in ss. 330.29-330.39.-

(7) "Temporary airport" means an ~~any~~ airport at which flight operations are conducted under visual flight rules established by the Federal Aviation Administration and which is ~~that will be used for a period of~~ less than 30 consecutive days with no more than 10 operations per day.

Section 2. Subsection (1), paragraphs (a) and (c) of subsection (2), and paragraph (e) of subsection (3) of section 330.30, Florida Statutes, are amended to read:

330.30 Approval of airport sites; registration and licensure of airports.-

(1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD, REVOCATION.-

(a) Except as provided in subsection (3), the owner or lessee of a ~~any~~ proposed airport shall, before ~~prior to~~ site acquisition or construction or establishment of the proposed airport, obtain approval of the airport site from the department. Applications for approval of a site shall be made in a form and manner prescribed by the department. The department shall grant the site approval if it is satisfied:

51 1. That the site has adequate area allocated for the
52 airport as proposed.

53 2. That the proposed airport will conform to licensing or
54 registration requirements and will comply with the applicable
55 local government land development regulations or zoning
56 requirements.

57 3. That all affected airports, local governments, and
58 property owners have been notified and any comments submitted by
59 them have been given adequate consideration.

60 4. That safe air-traffic patterns can be established for
61 the proposed airport with all existing airports and approved
62 airport sites in its vicinity.

63 (b) Site approval shall be granted for a public airport
64 ~~airports~~ only after a favorable department inspection of the
65 proposed site.

66 (c) Site approval shall be granted for a private airport
67 ~~airports~~ only after receipt of documentation in a form and
68 manner the department deems necessary to satisfy the conditions
69 in paragraph (a).

70 (d) Site approval shall be granted for a temporary airport
71 only after receipt of documentation in a form and manner the
72 department deems necessary to satisfy the conditions in
73 paragraph (a). Such documentation must be included with the
74 application for a temporary airport registration.

75 (e)-(d) Site approval may be granted subject to any

76 reasonable conditions the department deems necessary to protect
 77 the public health, safety, or welfare.

78 ~~(f)-(e)~~ Approval as a public airport or a private airport
 79 shall remain valid for 2 years after the date of issue, unless
 80 revoked by the department or unless a public airport license is
 81 issued or a private airport registration is completed pursuant
 82 to subsection (2) before ~~prior to~~ the expiration date.

83 ~~(g)-(f)~~ The department may extend a public airport or
 84 private airport site approval for subsequent periods of 2 years
 85 per extension for good cause.

86 ~~(h)-(g)~~ The department may revoke an airport a site
 87 approval if it determines:

- 88 1. That the site has been abandoned as an airport site;
- 89 2. That the site has not been developed as an airport
 90 within a reasonable time period or development does not comply
 91 with the conditions of the site approval;
- 92 3. That, except as required for in-flight emergencies,
 93 aircraft have operated on the site; or
- 94 4. That the site is no longer usable for aviation purposes
 95 due to physical or legal changes in conditions that were the
 96 subject of the approval granted.

97 (2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,
 98 REVOCATION.—

99 (a) Except as provided in subsection (3), the owner or
 100 lessee of an ~~any~~ airport in this state shall have ~~either~~ a

101 public airport license, ~~or~~ private airport registration, or
 102 temporary airport registration before ~~prior to~~ the operation of
 103 aircraft to or from the airport facility. Application for a
 104 license or registration shall be made in a form and manner
 105 prescribed by the department. ~~Upon granting site approval:~~

106 1. For a public airport, upon granting site approval, the
 107 department shall issue a license after a final airport
 108 inspection finds the airport facility to be in compliance with
 109 all requirements for the license. The license may be subject to
 110 any reasonable conditions ~~that~~ the department deems ~~may deem~~
 111 necessary to protect the public health, safety, or welfare.

112 2. For a private airport, upon granting site approval, the
 113 department shall provide controlled electronic access to the
 114 state aviation facility data system to permit the applicant to
 115 complete the registration process. Registration shall be
 116 completed upon self-certification by the registrant of
 117 operational and configuration data deemed necessary by the
 118 department.

119 3. For a temporary airport, the department must publish
 120 notice of receipt of a completed registration application in the
 121 next available publication of the Florida Administrative
 122 Register and may not approve a registration application less
 123 than 14 days after the date of publication of the notice. The
 124 department must approve or deny a registration application
 125 within 30 days after receipt of a completed application and must

126 issue the temporary airport registration concurrent with the
127 airport site approval. A completed registration application that
128 is not approved or denied within 30 days after the department
129 receives the completed application is considered approved and
130 shall be issued, subject to such reasonable conditions as are
131 authorized by law. An applicant seeking to claim registration by
132 default under this subparagraph must notify the agency clerk of
133 the department, in writing, of the intent to rely upon the
134 default registration provision of this subparagraph and may not
135 take any action based upon the default registration until after
136 receipt of such notice by the agency clerk.

137 ~~(c) The department may license a public airport or a~~
138 ~~private airport may register as a temporary airport provided~~
139 ~~that the airport will not endanger the public health, safety, or~~
140 ~~welfare and the airport meets the temporary airport requirements~~
141 ~~established by the department. A temporary airport license or~~
142 ~~registration shall be valid for less than 30 days and is not~~
143 ~~renewable. The department may not approve a subsequent temporary~~
144 ~~airport registration application for the same general location~~
145 ~~if the purpose or effect is to evade otherwise applicable~~
146 ~~airport permitting or licensure requirements.~~

147 (3) EXEMPTIONS.—The provisions of this section do not
148 apply to:

149 (e) An airport ~~which meets the criteria of s. 330.27(7)-~~
150 used exclusively for aerial application or spraying of crops on

151 a seasonal basis, not to include any licensed airport where
152 permanent crop aerial application or spraying facilities are
153 installed, if the period of operation does not exceed 30 days
154 per calendar year and the frequency of operations does not
155 exceed 10 operations per day. Such proposed airports, which will
156 be located within 3 miles of existing airports or approved
157 airport sites, shall establish safe air-traffic patterns with
158 such existing airports or approved airport sites, by memorandums
159 of understanding, or by letters of agreement between the parties
160 representing the airports or sites.

161 Section 3. This act shall take effect July 1, 2023.