

By the Committees on Appropriations; and Transportation; and
Senator Albritton

576-04683-21

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1 A bill to be entitled
2 An act relating to diesel exhaust fluid; creating s.
3 330.401, F.S.; requiring specified public airports to
4 require a diesel exhaust fluid safety mitigation and
5 exclusion plan for certain fixed-base operators;
6 specifying plan requirements; requiring public
7 airports to make such plans available for review
8 during inspections by the Department of Transportation
9 after a specified date; requiring the department to
10 convene a workgroup of public airport representatives
11 by a specified date to develop specified uniform
12 industry standards; authorizing the department to
13 adopt rules; providing a declaration of important
14 state interest; providing an effective date.

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

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18 Section 1. Section 330.401, Florida Statutes, is created to
19 read:

20 330.401 Diesel exhaust fluid safety mitigation and
21 exclusion plan.—

22 (1) (a) Each public airport as defined in s. 330.27 at
23 which:

24 1. Aviation fuels receive onsite treatment with fuel system
25 icing inhibitors;

26 2. Aviation fuel is delivered by a publicly or privately
27 owned fixed-base operator; and

28 3. Any aircraft fuel delivery vehicle or ground service
29 equipment that uses diesel exhaust fluid is operated within 150

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30 feet of any aircraft,

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32 shall require a diesel exhaust fluid safety mitigation and
33 exclusion plan for each fixed-base operator that performs onsite
34 treatment of aviation fuel with a fuel system icing inhibitor.

35 (b) The plan must include, at a minimum:

36 1. A full inventory of all the fixed-base operator's diesel
37 exhaust fluid on the premises of the airport.

38 2. Designation of specific areas where the fixed-base
39 operator's diesel exhaust fluid may be stored on the premises of
40 the airport. To the extent practicable, such areas may not be
41 located within or on a vehicle operated for the fueling or
42 servicing of aircraft or at any aviation fuel transfer facility
43 or bulk aviation fuel storage facility.

44 3. Designation of specific areas where diesel exhaust fluid
45 may be added to vehicles. Such areas may not be located in
46 aircraft operating areas.

47 4. Incorporation of best practices for ensuring the proper
48 labeling and storage of diesel exhaust fluid.

49 5. Incorporation of training in the proper use and storage
50 of diesel exhaust fluid for all employees of the fixed-base
51 operator who may come in contact with such fluid in the ordinary
52 course of their duties.

53 6. Designation of specific areas where the fixed-base
54 operator's fuel system icing inhibitor may be stored on the
55 premises of the airport.

56 7. Incorporation of best practices for ensuring the proper
57 labeling and storage of the fixed-base operator's fuel system
58 icing inhibitor.

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59 8. Incorporation of training in the proper use and storage
60 of fuel system icing inhibitors for all employees of the fixed-
61 base operator who may come in contact with fuel system icing
62 inhibitors in the ordinary course of their duties.

63 (2) Each public airport must, by January 1, 2022, make the
64 diesel exhaust fluid safety mitigation and exclusion plan for
65 each fixed-based operator available for review during
66 inspections by the Department of Transportation.

67 (3) The Department of Transportation shall, by September 1,
68 2021, convene a workgroup of public airport representatives to
69 develop uniform industry standards based upon the requirements
70 of paragraph (1) (b) and NATA Operational Best Practice No. 36,
71 DEF Handling and Contamination, to ensure consistency of
72 industry standards.

73 (4) The Department of Transportation may adopt rules to
74 develop a uniform industry standards form for the diesel exhaust
75 fluid safety mitigation and exclusion plan based upon the
76 recommendations provided by the workgroup pursuant to subsection
77 (3).

78 Section 2. The Legislature determines and declares that
79 this act fulfills an important state interest.

80 Section 3. This act shall take effect October 1, 2021.