

ENROLLED

CS/HB 77, Engrossed 1

2021 Legislature

1  
 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 an effective date.

14  
 15 Be It Enacted by the Legislature of the State of Florida:

16  
 17 Section 1. Section 330.401, Florida Statutes, is created  
 18 to read:

19 330.401 Diesel exhaust fluid safety mitigation and  
 20 exclusion plan.—

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

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

25 2. Aviation fuel is delivered by a publicly or privately

ENROLLED

CS/HB 77, Engrossed 1

2021 Legislature

26 | owned fixed-base operator; and  
 27 |       3. Any aircraft fuel delivery vehicle or ground service  
 28 | equipment that uses diesel exhaust fluid is operated within 150  
 29 | feet of any aircraft,  
 30 |  
 31 | shall require a diesel exhaust fluid safety mitigation and  
 32 | exclusion plan for each fixed-base operator that performs onsite  
 33 | treatment of aviation fuel with a fuel system icing inhibitor.  
 34 |       (b) The plan must include, at a minimum:  
 35 |           1. A full inventory of all the fixed-base operator's  
 36 | diesel exhaust fluid on the premises of the airport.  
 37 |           2. Designation of specific areas where the fixed-base  
 38 | operator's diesel exhaust fluid may be stored on the premises of  
 39 | the airport. To the extent practicable, such areas may not be  
 40 | located within or on a vehicle operated for the fueling or  
 41 | servicing of aircraft or at any aviation fuel transfer facility  
 42 | or bulk aviation fuel storage facility.  
 43 |           3. Designation of specific areas where diesel exhaust  
 44 | fluid may be added to vehicles. Such areas may not be located in  
 45 | aircraft operating areas.  
 46 |           4. Incorporation of best practices for ensuring the proper  
 47 | labeling and storage of diesel exhaust fluid.  
 48 |           5. Incorporation of training in the proper use and storage  
 49 | of diesel exhaust fluid for all employees of the fixed-base  
 50 | operator who may come in contact with such fluid in the ordinary

ENROLLED

CS/HB 77, Engrossed 1

2021 Legislature

51 course of their duties.

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

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

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

62 9. Specification of physical security features for locking  
63 fuel system icing inhibitor fill points on the fixed-base  
64 operator's aircraft fuel delivery vehicles. Such features must  
65 prevent the addition of any fluid other than icing inhibitors  
66 and the specification must require that only properly trained  
67 and authorized individuals may access such features.

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

72 (3) The Department of Transportation shall, by November 1,  
73 2021, convene a workgroup of public airport representatives to  
74 develop uniform industry standards based upon the requirements  
75 of paragraph (1) (b) and NATA Operational Best Practice No. 36,

ENROLLED

CS/HB 77, Engrossed 1

2021 Legislature

76 | DEF Handling and Contamination, to ensure consistency of  
77 | industry standards.

78 | (4) The Department of Transportation may adopt rules to  
79 | develop a uniform industry standards form for the diesel exhaust  
80 | fluid safety mitigation and exclusion plan based upon the  
81 | recommendations provided by the workgroup pursuant to subsection  
82 | (3).

83 | Section 2. This act shall take effect October 1, 2021.