

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Trabulsy offered the following:

2  
3 **Substitute Amendment for Amendment (236265) (with title**  
4 **amendment)**

5 Remove lines 150-165 and insert:

6 Section 5. Subsection (7) of section 330.27, Florida  
7 Statutes, is amended to read:

8 330.27 Definitions, when used in ss. 330.29-330.39.-

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

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14 Section 6. Subsection (1), paragraphs (a) and (c) of  
15 subsection (2), and paragraph (e) of subsection (3) of section  
16 330.30, Florida Statutes, are amended to read:

17 330.30 Approval of airport sites; registration and  
18 licensure of airports.—

19 (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,  
20 REVOCATION.—

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

28 1. That the site has adequate area allocated for the  
29 airport as proposed.

30 2. That the proposed airport will conform to licensing or  
31 registration requirements and will comply with the applicable  
32 local government land development regulations or zoning  
33 requirements.

34 3. That all affected airports, local governments, and  
35 property owners have been notified and any comments submitted by  
36 them have been given adequate consideration.

37 4. That safe air-traffic patterns can be established for  
38 the proposed airport with all existing airports and approved

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39 | airport sites in its vicinity.

40 | (b) Site approval shall be granted for a public airport  
41 | ~~airports~~ only after a favorable department inspection of the  
42 | proposed site.

43 | (c) Site approval shall be granted for a private airport  
44 | ~~airports~~ only after receipt of documentation in a form and  
45 | manner the department deems necessary to satisfy the conditions  
46 | in paragraph (a).

47 | (d) Site approval shall be granted for a temporary airport  
48 | only after receipt of documentation in a form and manner the  
49 | department deems necessary to satisfy the conditions in  
50 | paragraph (a). Such documentation must be included with the  
51 | application for a temporary airport registration.

52 | (e)-(d) Site approval may be granted subject to any  
53 | reasonable conditions the department deems necessary to protect  
54 | the public health, safety, or welfare.

55 | (f)-(e) Approval as a public airport or a private airport  
56 | shall remain valid for 2 years after the date of issue, unless  
57 | revoked by the department or unless a public airport license is  
58 | issued or a private airport registration is completed pursuant  
59 | to subsection (2) before ~~prior to~~ the expiration date.

60 | (g)-(f) The department may extend a public airport or  
61 | private airport site approval for subsequent periods of 2 years  
62 | per extension for good cause.

63 | (h)-(g) The department may revoke an airport a site

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64 approval if it determines:

65 1. That the site has been abandoned as an airport site;

66 2. That the site has not been developed as an airport  
67 within a reasonable time period or development does not comply  
68 with the conditions of the site approval;

69 3. That, except as required for in-flight emergencies,  
70 aircraft have operated on the site; or

71 4. That the site is no longer usable for aviation purposes  
72 due to physical or legal changes in conditions that were the  
73 subject of the approval granted.

74 (2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,  
75 REVOCATION.—

76 (a) Except as provided in subsection (3), the owner or  
77 lessee of an any airport in this state shall have ~~either~~ a  
78 public airport license, ~~or~~ private airport registration, or  
79 temporary airport registration before ~~prior to~~ the operation of  
80 aircraft to or from the airport facility. Application for a  
81 license or registration shall be made in a form and manner  
82 prescribed by the department. ~~Upon granting site approval:~~

83 1. For a public airport, upon granting site approval, the  
84 department shall issue a license after a final airport  
85 inspection finds the airport facility to be in compliance with  
86 all requirements for the license. The license may be subject to  
87 any reasonable conditions ~~that~~ the department deems ~~may deem~~  
88 necessary to protect the public health, safety, or welfare.

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89           2. For a private airport, upon granting site approval, the  
90 department shall provide controlled electronic access to the  
91 state aviation facility data system to permit the applicant to  
92 complete the registration process. Registration shall be  
93 completed upon self-certification by the registrant of  
94 operational and configuration data deemed necessary by the  
95 department.

96           3. For a temporary airport, the department must publish  
97 notice of receipt of a completed registration application in the  
98 next available publication of the Florida Administrative  
99 Register and may not approve a registration application less  
100 than 14 days after the date of publication of the notice. The  
101 department must approve or deny a registration application  
102 within 30 days after receipt of a completed application and must  
103 issue the temporary airport registration concurrent with the  
104 airport site approval. A completed registration application that  
105 is not approved or denied within 30 days after the department  
106 receives the completed application is considered approved and  
107 shall be issued, subject to such reasonable conditions as are  
108 authorized by law. An applicant seeking to claim registration by  
109 default under this subparagraph must notify the agency clerk of  
110 the department, in writing, of the intent to rely upon the  
111 default registration provision of this subparagraph and may not  
112 take any action based upon the default registration until after  
113 receipt of such notice by the agency clerk.

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114 (c) ~~The department may license a public airport or a~~  
115 ~~private airport may register as a temporary airport provided~~  
116 ~~that the airport will not endanger the public health, safety, or~~  
117 ~~welfare and the airport meets the temporary airport requirements~~  
118 ~~established by the department.~~ A temporary airport license or  
119 registration shall be valid for less than 30 days and is not  
120 renewable. The department may not approve a subsequent temporary  
121 airport registration application for the same general location  
122 if the purpose or effect is to evade otherwise applicable  
123 airport permitting or licensure requirements.

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

126 (e) An airport ~~which meets the criteria of s. 330.27(7)~~  
127 used exclusively for aerial application or spraying of crops on  
128 a seasonal basis, not to include any licensed airport where  
129 permanent crop aerial application or spraying facilities are  
130 installed, if the period of operation does not exceed 30 days  
131 per calendar year and the frequency of operations does not  
132 exceed 10 operations per day. Such proposed airports, which will  
133 be located within 3 miles of existing airports or approved  
134 airport sites, shall establish safe air-traffic patterns with  
135 such existing airports or approved airport sites, by memorandums  
136 of understanding, or by letters of agreement between the parties  
137 representing the airports or sites.

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**T I T L E   A M E N D M E N T**

Remove lines 26-30 and insert:

system; amending s. 330.27, F.S.; revising the definition of the term "temporary airport"; amending s. 330.30, F.S.; requiring certain documentation to be submitted to the Department of Transportation for temporary airport site approval and temporary airport registration; requiring a temporary airport to obtain registration before operation of aircraft to or from the airport; requiring the department to publish certain notice of receipt of a temporary airport registration application; specifying the period during which such application may be approved or denied; requiring the department to issue registration concurrent with site approval; providing that certain registrations are considered approved under specified conditions; requiring written notice to the department's agency clerk before an applicant takes action based on such default registration; removing a condition for licensure or registration as a temporary airport; prohibiting approval of subsequent registration applications under certain circumstances; revising an exemption from certain provisions for an

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163 | airport used for aerial application or spraying of  
164 | crops;

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