



204976

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/21/2023	.	
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The Committee on Fiscal Policy (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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



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11 ~~that will be~~ used for a ~~period of~~ less than 30 consecutive days
12 with no more than 10 operations per day.

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

16 330.30 Approval of airport sites; registration and
17 licensure of airports.—

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

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

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

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

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

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

39 (b) Site approval shall be granted for a public airport



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40 ~~airports~~ only after a favorable department inspection of the
41 proposed site.

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

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

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

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

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

64 (h)~~(g)~~ The department may revoke an airport ~~a~~ site approval
65 if it determines:

- 66 1. That the site has been abandoned as an airport site;
67 2. That the site has not been developed as an airport
68 within a reasonable time period or development does not comply



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69 with the conditions of the site approval;

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

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

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

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

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

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



98 3. For an application for a public temporary airport or
99 private temporary airport site approval order, upon receipt of a
100 completed application, the department must publish a notice of
101 intent to approve or deny the application in the next available
102 publication of the Florida Administrative Register. The notice
103 must inform the recipient of any administrative hearing that is
104 available, indicate the procedure that must be followed to
105 obtain the hearing, and state that a request for hearing must be
106 submitted no later than 14 days after the date of publication.
107 The department may not approve or deny an application sooner
108 than 14 days after the date of publication. The department must
109 approve or deny an application no later than 30 days after the
110 date of publication, unless a hearing is requested by a person
111 whose substantial interests will be determined or affected by
112 the pending public temporary airport or private temporary
113 airport site approval order. If site approval is granted,
114 licensure of the public temporary airport or registration of the
115 private temporary airport is deemed complete, and the department
116 must issue the private temporary airport license or private
117 temporary airport registration concurrent with the airport site
118 approval.

119 ~~(c) The department may license a public airport or a~~
120 ~~private airport may register as a temporary airport provided~~
121 ~~that the airport will not endanger the public health, safety, or~~
122 ~~welfare and the airport meets the temporary airport requirements~~
123 ~~established by the department. A temporary airport license or~~
124 ~~registration shall be valid for less than 30 days and is not~~
125 ~~renewable. The department may not approve a subsequent~~
126 ~~application for a public temporary airport or private temporary~~



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127 airport site approval order for the same general location if the
128 purpose or effect of such order is to evade otherwise applicable
129 airport permitting, licensure, or registration requirements.

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

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

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

145
146 ===== T I T L E A M E N D M E N T =====

147 And the title is amended as follows:

148 Delete everything before the enacting clause
149 and insert:

150 A bill to be entitled
151 An act relating to temporary airports; amending s.
152 330.27, F.S.; revising the definition of the term
153 "temporary airport"; amending s. 330.30, F.S.;
154 requiring that certain documentation be submitted to
155 the Department of Transportation for a public



156 temporary airport or private temporary airport site
157 approval order; requiring a public temporary airport
158 to obtain a license and a private temporary airport to
159 obtain registration before operation of aircraft to or
160 from the airport; requiring the department to publish
161 certain notice of intent to approve or deny an
162 application for a public temporary airport or private
163 temporary airport site approval order; specifying the
164 period during which such application may be approved
165 or denied; deeming public temporary airport licensure
166 or private temporary airport registration complete if
167 the department grants site approval; requiring the
168 department to issue a public temporary airport license
169 or private temporary airport registration concurrent
170 with airport site approval; removing a condition for
171 licensure or registration as a temporary airport;
172 prohibiting the department from approving subsequent
173 applications for a public temporary airport or private
174 temporary airport site approval order under certain
175 circumstances; revising an exemption from certain
176 provisions for an airport used for aerial application
177 or spraying of crops; providing an effective date.