

By Senator DiCeglie

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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; removing a condition for licensure or  
16      registration as a temporary airport; prohibiting  
17      approval of subsequent temporary airport registration  
18      applications under certain circumstances; revising an  
19      exemption from certain provisions for an airport used  
20      for aerial application or spraying of crops; providing  
21      an effective date.

22  
23   Be It Enacted by the Legislature of the State of Florida:

24  
25       Section 1. Subsection (7) of section 330.27, Florida  
26       Statutes, is amended to read:

27       330.27 Definitions, when used in ss. 330.29-330.39.—

28       (7) "Temporary airport" means an ~~any~~ airport at which  
29       flight operations are conducted under visual flight rules

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30 established by the Federal Aviation Administration and which is  
31 ~~that will be used for a period of less than 30~~ consecutive days  
32 with no more than 10 operations per day.

33 Section 2. Subsection (1), paragraphs (a) and (c) of  
34 subsection (2), and paragraph (e) of subsection (3) of section  
35 330.30, Florida Statutes, are amended to read:

36 330.30 Approval of airport sites; registration and  
37 licensure of airports.—

38 (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,  
39 REVOCATION.—

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

47 1. That the site has adequate area allocated for the  
48 airport as proposed.

49 2. That the proposed airport will conform to licensing or  
50 registration requirements and will comply with the applicable  
51 local government land development regulations or zoning  
52 requirements.

53 3. That all affected airports, local governments, and  
54 property owners have been notified and any comments submitted by  
55 them have been given adequate consideration.

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

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

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

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

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

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

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

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

- 84 1. That the site has been abandoned as an airport site;
- 85 2. That the site has not been developed as an airport  
86 within a reasonable time period or development does not comply  
87 with the conditions of the site approval;

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

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

93           (2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,  
94 REVOCATION.—

95           (a) Except as provided in subsection (3), the owner or  
96 lessee of an any airport in this state shall have ~~either~~ a  
97 public airport license, ~~or~~ private airport registration, or  
98 temporary airport registration before ~~prior to~~ the operation of  
99 aircraft to or from the airport facility. Application for a  
100 license or registration shall be made in a form and manner  
101 prescribed by the department. ~~Upon granting site approval:~~

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

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

115           3. For a temporary airport, the department must publish  
116 notice of receipt of a registration application in the next

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117 available publication of the Florida Administrative Register and  
118 may not approve a registration application less than 14 days  
119 after the date of publication. The department must approve or  
120 deny a registration application within 14 days after receipt of  
121 a completed application and must issue the temporary airport  
122 registration concurrent with the airport site approval.

123 ~~(c) The department may license a public airport or a~~  
124 ~~private airport may register as a temporary airport provided~~  
125 ~~that the airport will not endanger the public health, safety, or~~  
126 ~~welfare and the airport meets the temporary airport requirements~~  
127 ~~established by the department. A temporary airport license or~~  
128 ~~registration shall be valid for less than 30 days and is not~~  
129 ~~renewable. The department may not approve a subsequent temporary~~  
130 ~~airport registration application for the same general location~~  
131 ~~if the purpose or effect is to evade otherwise applicable~~  
132 ~~airport permitting or licensure requirements.~~

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

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

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146 representing the airports or sites.

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