

By the Committee on Transportation; and Senators DiCeglie and Perry

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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      intent to approve or deny an application for temporary  
12      site approval and registration; specifying the period  
13      during which such application may be approved or  
14      denied; deeming temporary airport registration  
15      complete if the department grants site approval;  
16      removing a condition for licensure or registration as  
17      a temporary airport; prohibiting approval of  
18      subsequent temporary airport registration applications  
19      under certain circumstances; revising an exemption  
20      from certain provisions for an airport used for aerial  
21      application or spraying of crops; providing an  
22      effective date.

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

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

28       330.27 Definitions, when used in ss. 330.29-330.39.—

29       (7) "Temporary airport" means an ~~any~~ airport at which

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

34 Section 2. Subsection (1), paragraphs (a) and (c) of  
35 subsection (2), and paragraph (e) of subsection (3) of section  
36 330.30, Florida Statutes, are amended to read:

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

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

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

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

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

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

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

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59 airport sites in its vicinity.

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

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

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

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

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

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

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

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

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88 with the conditions of the site approval;

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

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

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

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

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

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

116 3. For a temporary airport, upon receipt of a completed

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117 application for site approval and registration, the department  
118 must publish a notice of intent to approve or deny the  
119 application in the next available publication of the Florida  
120 Administrative Register. The notice must inform the recipient of  
121 any administrative hearing that is available, indicate the  
122 procedure that must be followed to obtain the hearing, and state  
123 that a request for hearing must be submitted no later than 14  
124 days after the date of publication. The department may not  
125 approve or deny an application sooner than 14 days after the  
126 date of publication. The department must approve or deny an  
127 application no later than 30 days after the date of publication.  
128 If site approval is granted, registration of the temporary  
129 airport is deemed complete.

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

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

142 (e) An airport ~~which meets the criteria of s. 330.27(7)~~  
143 ~~used exclusively for aerial application or spraying of crops on~~  
144 ~~a seasonal basis, not to include any licensed airport where~~  
145 ~~permanent crop aerial application or spraying facilities are~~

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146 installed, if the period of operation does not exceed 30 days  
147 per calendar year and the frequency of operations does not  
148 exceed 10 operations per day. Such proposed airports, which will  
149 be located within 3 miles of existing airports or approved  
150 airport sites, shall establish safe air-traffic patterns with  
151 such existing airports or approved airport sites, by memorandums  
152 of understanding, or by letters of agreement between the parties  
153 representing the airports or sites.

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