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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 that certain documentation be submitted to  
6     the Department of Transportation for a public  
7     temporary airport or private temporary airport site  
8     approval order; requiring a public temporary airport  
9     to obtain a license and a private temporary airport to  
10    obtain registration before operation of aircraft to or  
11    from the airport; requiring the department to approve  
12    or deny applications for a public temporary airport or  
13    private temporary airport site approval order within a  
14    specified timeframe; requiring that applications that  
15    are not approved or denied within such timeframe be  
16    considered approved and that approval orders be  
17    issued; requiring the department to publish certain  
18    notice of intent to approve or deny an application for  
19    a public temporary airport or private temporary  
20    airport site approval order; requiring that issuance  
21    of site approval orders be held in abeyance under  
22    certain circumstances; requiring the department to  
23    issue a public temporary airport license or private  
24    temporary airport registration concurrent with airport  
25    site approval; requiring applicants seeking to claim  
26    registration by default to provide specified notice to  
27    the agency clerk of the department before taking  
28    certain actions; removing a condition for licensure or  
29    registration as a temporary airport; prohibiting the

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30 department from approving subsequent applications for  
31 a public temporary airport or private temporary  
32 airport site approval order under certain  
33 circumstances; revising an exemption from certain  
34 provisions for an airport used for aerial application  
35 or spraying of crops; providing an effective date.  
36

37 Be It Enacted by the Legislature of the State of Florida:  
38

39 Section 1. Subsection (7) of section 330.27, Florida  
40 Statutes, is amended to read:

41 330.27 Definitions, when used in ss. 330.29-330.39.—

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

47 Section 2. Subsection (1), paragraphs (a) and (c) of  
48 subsection (2), and paragraph (e) of subsection (3) of section  
49 330.30, Florida Statutes, are amended to read:

50 330.30 Approval of airport sites; registration and  
51 licensure of airports.—

52 (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,  
53 REVOCATION.—

54 (a) Except as provided in subsection (3), the owner or  
55 lessee of a any proposed airport shall, before ~~prior to~~ site  
56 acquisition or construction or establishment of the proposed  
57 airport, obtain approval of the airport site from the  
58 department. Applications for approval of a site shall be made in

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59 a form and manner prescribed by the department. The department  
60 shall grant the site approval if it is satisfied:

61 1. That the site has adequate area allocated for the  
62 airport as proposed.

63 2. That the proposed airport will conform to licensing or  
64 registration requirements and will comply with the applicable  
65 local government land development regulations or zoning  
66 requirements.

67 3. That all affected airports, local governments, and  
68 property owners have been notified and any comments submitted by  
69 them have been given adequate consideration.

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

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

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

80 (d) Site approval shall be granted for a public temporary  
81 airport or private temporary airport only after receipt of  
82 documentation in a form and manner the department deems  
83 necessary to satisfy the conditions in paragraph (a). Such  
84 documentation must be included with the application for a public  
85 temporary airport or private temporary airport site approval  
86 order.

87 (e) ~~(d)~~ Site approval may be granted subject to any

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88 reasonable conditions the department deems necessary to protect  
89 the public health, safety, or welfare.

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

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

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

- 100 1. That the site has been abandoned as an airport site;
- 101 2. That the site has not been developed as an airport  
102 within a reasonable time period or development does not comply  
103 with the conditions of the site approval;
- 104 3. That, except as required for in-flight emergencies,  
105 aircraft have operated on the site; or
- 106 4. That the site is no longer usable for aviation purposes  
107 due to physical or legal changes in conditions that were the  
108 subject of the approval granted.

109 (2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,  
110 REVOCATION.—

111 (a) Except as provided in subsection (3), the owner or  
112 lessee of an ~~any~~ airport in this state shall have ~~either~~ a  
113 public airport license, a ~~or~~ private airport registration, a  
114 public temporary airport license, or a private temporary airport  
115 registration before ~~prior to~~ the operation of aircraft to or  
116 from the airport ~~facility~~. Application for a license or

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117 registration shall be made in a form and manner prescribed by  
118 the department. ~~Upon granting site approval:~~

119 1. For a public airport, upon granting site approval, the  
120 department shall issue a license after a final airport  
121 inspection finds the airport facility to be in compliance with  
122 all requirements for the license. The license may be subject to  
123 any reasonable conditions ~~that~~ the department deems ~~may deem~~  
124 necessary to protect the public health, safety, or welfare.

125 2. For a private airport, upon granting site approval, the  
126 department shall provide controlled electronic access to the  
127 state aviation facility data system to permit the applicant to  
128 complete the registration process. Registration shall be  
129 completed upon self-certification by the registrant of  
130 operational and configuration data deemed necessary by the  
131 department.

132 3. For an application for a public temporary airport or  
133 private temporary airport site approval order, the department  
134 must approve or deny the application within 30 days after  
135 receipt of a complete application, notwithstanding the  
136 requirements of s. 120.60. A complete airport site approval  
137 application that is not approved or denied within 30 days after  
138 the department receives the completed application is considered  
139 approved, and the approval order shall be issued, subject to  
140 such reasonable conditions as are authorized by law. Upon the  
141 department's intent to approve or deny an applicant's private  
142 temporary airport site approval order or public temporary  
143 airport site approval order, the department must publish a  
144 notice of intent to approve or deny the application in the next  
145 available publication of the Florida Administrative Register.

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146 The notice must inform the recipient of any administrative  
147 hearing that is available, indicate the procedure that must be  
148 followed to obtain the hearing, and state that a request for  
149 hearing must be submitted no later than 14 days after the date  
150 of publication. The issuance of the site approval order must be  
151 held in abeyance if a hearing is requested by a person whose  
152 substantial interests will be determined or affected by the  
153 pending public temporary airport or private temporary airport  
154 site approval order. If site approval is granted, licensure of  
155 the public temporary airport or registration of the private  
156 temporary airport is deemed complete, and the department must  
157 issue the public temporary airport license or private temporary  
158 airport registration concurrent with the airport site approval.  
159 Any applicant seeking to claim registration by default under  
160 this subparagraph shall notify the agency clerk of the  
161 department, in writing, of the applicant's intent to rely upon  
162 the default registration provision of this subparagraph and may  
163 not take any action based upon the default registration until  
164 after receipt of such notice by the agency clerk.

165 ~~(c) The department may license a public airport or a~~  
166 ~~private airport may register as a temporary airport provided~~  
167 ~~that the airport will not endanger the public health, safety, or~~  
168 ~~welfare and the airport meets the temporary airport requirements~~  
169 ~~established by the department. A temporary airport license or~~  
170 ~~registration shall be valid for less than 30 days and is not~~  
171 ~~renewable. The department may not approve a subsequent~~  
172 ~~application for a public temporary airport or private temporary~~  
173 ~~airport site approval order for the same general location if the~~  
174 ~~purpose or effect of such order is to evade otherwise applicable~~

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175 airport permitting, licensure, or registration requirements.

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

178 (e) An airport ~~which meets the criteria of s. 330.27(7)~~  
179 used exclusively for aerial application or spraying of crops on  
180 a seasonal basis, not to include any licensed airport where  
181 permanent crop aerial application or spraying facilities are  
182 installed, if the period of operation does not exceed 30 days  
183 per calendar year and the frequency of operations does not  
184 exceed 10 operations per day. Such proposed airports, which will  
185 be located within 3 miles of existing airports or approved  
186 airport sites, shall establish safe air-traffic patterns with  
187 such existing airports or approved airport sites, by memorandums  
188 of understanding, or by letters of agreement between the parties  
189 representing the airports or sites.

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