



LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: RC
03/05/2024 06:43 PM	.	03/07/2024 04:13 PM
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Senator Harrell moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsections (1), (2), and (8) of section 330.27,  
Florida Statutes, are amended to read:

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

(1) "Aircraft" means a powered or unpowered machine or  
device capable of atmospheric flight, including, but not limited  
to, an airplane, autogyro, glider, gyrodyne, helicopter, lift  
and cruise, multicopter, paramotor, powered lift, seaplane,



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12 tiltrotor, ultralight, and vectored thrust. The term does not  
13 include ~~except~~ a parachute or other such device used primarily  
14 as safety equipment.

15 (2) "Airport" means an area of land or water used for, or  
16 intended to be used for, ~~landing and takeoff of~~ aircraft  
17 operations, which may include any ~~including~~ appurtenant areas,  
18 buildings, facilities, or rights-of-way necessary to facilitate  
19 such use or intended use. The term includes, but is not limited  
20 to, an airpark, airport, gliderport, heliport, helistop,  
21 seaplane base, ultralight flightpark, vertiport, and vertistop.

22 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~  
23 ~~criteria established by part 103 of the Federal Aviation~~  
24 ~~Regulations.~~

25 Section 2. Present subsections (3) and (4) of section  
26 330.30, Florida Statutes, are redesignated as subsections (4)  
27 and (5), respectively, a new subsection (3) is added to that  
28 section, and paragraph (a) of subsection (1), paragraph (a) of  
29 subsection (2), and present subsection (4) of that section are  
30 amended, to read:

31 330.30 Approval of airport sites; registration and  
32 licensure of airports.-

33 (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,  
34 REVOCATION.-

35 (a) Except as provided in subsection (4) ~~(3)~~, the owner or  
36 lessee of a proposed airport shall, before site acquisition or  
37 construction or establishment of the proposed airport, obtain  
38 approval of the airport site from the department. Applications  
39 for approval of a site shall be made in a form and manner  
40 prescribed by the department. The department shall grant the



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41 site approval if it is satisfied:

42 1. That the site has adequate area allocated for the  
43 airport as proposed.

44 2. That the proposed airport will conform to licensing or  
45 registration requirements and will comply with the applicable  
46 local government land development regulations or zoning  
47 requirements.

48 3. That all affected airports, local governments, and  
49 property owners have been notified and any comments submitted by  
50 them have been given adequate consideration.

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

54 (2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,  
55 REVOCATION.—

56 (a) Except as provided in subsection (4) ~~(3)~~, the owner or  
57 lessee of an airport in this state shall have a public airport  
58 license, private airport registration, or temporary airport  
59 registration before the operation of aircraft to or from the  
60 airport. Application for a license or registration shall be made  
61 in a form and manner prescribed by the department.

62 1. For a public airport, upon granting site approval, the  
63 department shall issue a license after a final airport  
64 inspection finds the airport to be in compliance with all  
65 requirements for the license. The license may be subject to any  
66 reasonable conditions the department deems necessary to protect  
67 the public health, safety, or welfare.

68 2. For a private airport, upon granting site approval, the  
69 department shall provide controlled electronic access to the



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70 state aviation facility data system to permit the applicant to  
71 complete the registration process. Registration shall be  
72 completed upon self-certification by the registrant of  
73 operational and configuration data deemed necessary by the  
74 department.

75       3. For a temporary airport, the department must publish  
76 notice of receipt of a completed registration application in the  
77 next available publication of the Florida Administrative  
78 Register and may not approve a registration application less  
79 than 14 days after the date of publication of the notice. The  
80 department must approve or deny a registration application  
81 within 30 days after receipt of a completed application and must  
82 issue the temporary airport registration concurrent with the  
83 airport site approval. A completed registration application that  
84 is not approved or denied within 30 days after the department  
85 receives the completed application is considered approved and  
86 shall be issued, subject to such reasonable conditions as are  
87 authorized by law. An applicant seeking to claim registration by  
88 default under this subparagraph must notify the agency clerk of  
89 the department, in writing, of the intent to rely upon the  
90 default registration provision of this subparagraph and may not  
91 take any action based upon the default registration until after  
92 receipt of such notice by the agency clerk.

93       (3) VERTIPOINTS.—On or after July 1, 2024, the owner or  
94 lessee of a proposed vertiport must comply with subsection (1)  
95 in obtaining site approval and with subsection (2) in obtaining  
96 an airport license or registration. In conjunction with the  
97 granting of site approval, the department must conduct a final  
98 physical inspection of the vertiport to ensure compliance with



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99 all requirements for airport licensure or registration.

100 (5) ~~(4)~~ EXCEPTIONS.—Private airports with 10 or more based  
101 aircraft may request to be inspected and licensed by the  
102 department. Private airports licensed according to this  
103 subsection shall be considered private airports as defined in s.  
104 330.27 ~~s. 330.27(5)~~ in all other respects.

105 Section 3. Section 332.15, Florida Statutes, is created to  
106 read:

107 332.15 Advanced air mobility.—The Department of  
108 Transportation shall, within the resources provided pursuant to  
109 chapter 216:

110 (1) Address the need for vertiports, advanced air mobility,  
111 and other advances in aviation technology in the statewide  
112 aviation system plan as required under s. 332.006(1) and, as  
113 appropriate, in the department's work program.

114 (2) Designate a subject matter expert on advanced air  
115 mobility within the department to serve as a resource for local  
116 jurisdictions navigating advances in aviation technology.

117 (3) Lead a statewide education campaign for local officials  
118 to provide education on the benefits of advanced air mobility  
119 and advances in aviation technology and to support the efforts  
120 to make this state a leader in aviation technology.

121 (4) Provide local jurisdictions with a guidebook and  
122 technical resources to support uniform planning and zoning  
123 language across this state related to advanced air mobility and  
124 other advances in aviation technology.

125 (5) Ensure that a political subdivision of the state does  
126 not exercise its zoning and land use authority to grant or  
127 permit an exclusive right to one or more vertiport owners or



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128 operators and authorize a political subdivision to use its  
129 authority to promote reasonable access to advanced air mobility  
130 operators at public use vertiports within the jurisdiction of  
131 the subdivision.

132 (6) Conduct a review of airport hazard zone regulations  
133 and, as needed, make recommendations to the Legislature  
134 proposing any changes to regulations as a result of the review.

135 Section 4. Subsection (2) of section 333.03, Florida  
136 Statutes, is amended to read:

137 333.03 Requirement to adopt airport zoning regulations.—

138 (2) In the manner provided in subsection (1), political  
139 subdivisions shall adopt, administer, and enforce airport land  
140 use compatibility zoning regulations. At a minimum, airport land  
141 use compatibility zoning regulations must address ~~shall, at a~~  
142 ~~minimum, consider~~ the following:

143 (a) The prohibition of new landfills and the restriction of  
144 existing landfills within the following areas:

145 1. Within 10,000 feet from the nearest point of any runway  
146 used or planned to be used by turbine aircraft.

147 2. Within 5,000 feet from the nearest point of any runway  
148 used by only nonturbine aircraft.

149 3. Outside the perimeters defined in subparagraphs 1. and  
150 2., but still within the lateral limits of the civil airport  
151 imaginary surfaces defined in 14 C.F.R. s. 77.19. Case-by-case  
152 review of such landfills is advised.

153 (b) When ~~where~~ any landfill is located and constructed in a  
154 manner that attracts or sustains hazardous bird movements from  
155 feeding, water, or roosting areas into, or across, the runways  
156 or approach and departure patterns of aircraft. The landfill



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157 operator must incorporate bird management techniques or other  
158 practices to minimize bird hazards to airborne aircraft.

159 (c) When ~~where~~ an airport authority or other governing body  
160 operating a public-use airport has conducted a noise study in  
161 accordance with 14 C.F.R. part 150, or when ~~where~~ a public-use  
162 airport owner has established noise contours pursuant to another  
163 public study accepted by the Federal Aviation Administration,  
164 the prohibition of incompatible uses, as established in the  
165 noise study in 14 C.F.R. part 150, Appendix A or as a part of an  
166 alternative Federal Aviation Administration-accepted public  
167 study, within the noise contours established by any of these  
168 studies, except if such uses are specifically contemplated by  
169 such study with appropriate mitigation or similar techniques  
170 described in the study.

171 (d) When ~~where~~ an airport authority or other governing body  
172 operating a public-use airport has not conducted a noise study,  
173 the prohibition ~~mitigation~~ of ~~potential incompatible uses~~  
174 ~~associated with~~ residential construction and ~~any~~ educational  
175 facilities ~~facility~~, with the exception of aviation school  
176 facilities or residential property near a public-use airport  
177 that has as its sole runway a turf runway measuring less than  
178 2,800 feet in length, within an area contiguous to the airport  
179 measuring one-half the length of the longest runway on either  
180 side of and at the end of each runway centerline.

181 (e) The restriction of new incompatible uses, activities,  
182 or substantial modifications to existing incompatible uses  
183 within runway protection zones.

184 Section 5. For the purpose of incorporating the amendment  
185 made by this act to section 330.27, Florida Statutes, in a



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186 reference thereto, subsection (13) of section 365.172, Florida  
187 Statutes, is reenacted to read:

188 365.172 Emergency communications.—

189 (13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE  
190 IMPLEMENTATION.—To balance the public need for reliable  
191 emergency communications services through reliable wireless  
192 systems and the public interest served by governmental zoning  
193 and land development regulations and notwithstanding any other  
194 law or local ordinance to the contrary, the following standards  
195 shall apply to a local government's actions, as a regulatory  
196 body, in the regulation of the placement, construction, or  
197 modification of a wireless communications facility. This  
198 subsection may not, however, be construed to waive or alter the  
199 provisions of s. 286.011 or s. 286.0115. For the purposes of  
200 this subsection only, "local government" shall mean any  
201 municipality or county and any agency of a municipality or  
202 county only. The term "local government" does not, however,  
203 include any airport, as defined by s. 330.27(2), even if it is  
204 owned or controlled by or through a municipality, county, or  
205 agency of a municipality or county. Further, notwithstanding  
206 anything in this section to the contrary, this subsection does  
207 not apply to or control a local government's actions as a  
208 property or structure owner in the use of any property or  
209 structure owned by such entity for the placement, construction,  
210 or modification of wireless communications facilities. In the  
211 use of property or structures owned by the local government,  
212 however, a local government may not use its regulatory authority  
213 so as to avoid compliance with, or in a manner that does not  
214 advance, the provisions of this subsection.





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215 (a) Colocation among wireless providers is encouraged by  
216 the state.

217 1.a. Colocations on towers, including nonconforming towers,  
218 that meet the requirements in sub-sub-subparagraphs (I), (II),  
219 and (III), are subject to only building permit review, which may  
220 include a review for compliance with this subparagraph. Such  
221 colocations are not subject to any design or placement  
222 requirements of the local government's land development  
223 regulations in effect at the time of the colocation that are  
224 more restrictive than those in effect at the time of the initial  
225 antennae placement approval, to any other portion of the land  
226 development regulations, or to public hearing review. This sub-  
227 subparagraph may not preclude a public hearing for any appeal of  
228 the decision on the colocation application.

229 (I) The colocation does not increase the height of the  
230 tower to which the antennae are to be attached, measured to the  
231 highest point of any part of the tower or any existing antenna  
232 attached to the tower;

233 (II) The colocation does not increase the ground space  
234 area, commonly known as the compound, approved in the site plan  
235 for equipment enclosures and ancillary facilities; and

236 (III) The colocation consists of antennae, equipment  
237 enclosures, and ancillary facilities that are of a design and  
238 configuration consistent with all applicable regulations,  
239 restrictions, or conditions, if any, applied to the initial  
240 antennae placed on the tower and to its accompanying equipment  
241 enclosures and ancillary facilities and, if applicable, applied  
242 to the tower supporting the antennae. Such regulations may  
243 include the design and aesthetic requirements, but not



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244 procedural requirements, other than those authorized by this  
245 section, of the local government's land development regulations  
246 in effect at the time the initial antennae placement was  
247 approved.

248       b. Except for a historic building, structure, site, object,  
249 or district, or a tower included in sub-subparagraph a.,  
250 colocations on all other existing structures that meet the  
251 requirements in sub-sub-subparagraphs (I)-(IV) shall be subject  
252 to no more than building permit review, and an administrative  
253 review for compliance with this subparagraph. Such colocations  
254 are not subject to any portion of the local government's land  
255 development regulations not addressed herein, or to public  
256 hearing review. This sub-subparagraph may not preclude a public  
257 hearing for any appeal of the decision on the colocation  
258 application.

259       (I) The colocation does not increase the height of the  
260 existing structure to which the antennae are to be attached,  
261 measured to the highest point of any part of the structure or  
262 any existing antenna attached to the structure;

263       (II) The colocation does not increase the ground space  
264 area, otherwise known as the compound, if any, approved in the  
265 site plan for equipment enclosures and ancillary facilities;

266       (III) The colocation consists of antennae, equipment  
267 enclosures, and ancillary facilities that are of a design and  
268 configuration consistent with any applicable structural or  
269 aesthetic design requirements and any requirements for location  
270 on the structure, but not prohibitions or restrictions on the  
271 placement of additional colocations on the existing structure or  
272 procedural requirements, other than those authorized by this



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273 section, of the local government's land development regulations  
274 in effect at the time of the colocation application; and

275 (IV) The colocation consists of antennae, equipment  
276 enclosures, and ancillary facilities that are of a design and  
277 configuration consistent with all applicable restrictions or  
278 conditions, if any, that do not conflict with sub-sub-  
279 subparagraph (III) and were applied to the initial antennae  
280 placed on the structure and to its accompanying equipment  
281 enclosures and ancillary facilities and, if applicable, applied  
282 to the structure supporting the antennae.

283 c. Regulations, restrictions, conditions, or permits of the  
284 local government, acting in its regulatory capacity, that limit  
285 the number of colocations or require review processes  
286 inconsistent with this subsection do not apply to colocations  
287 addressed in this subparagraph.

288 d. If only a portion of the colocation does not meet the  
289 requirements of this subparagraph, such as an increase in the  
290 height of the proposed antennae over the existing structure  
291 height or a proposal to expand the ground space approved in the  
292 site plan for the equipment enclosure, where all other portions  
293 of the colocation meet the requirements of this subparagraph,  
294 that portion of the colocation only may be reviewed under the  
295 local government's regulations applicable to an initial  
296 placement of that portion of the facility, including, but not  
297 limited to, its land development regulations, and within the  
298 review timeframes of subparagraph (d)2., and the rest of the  
299 colocation shall be reviewed in accordance with this  
300 subparagraph. A colocation proposal under this subparagraph that  
301 increases the ground space area, otherwise known as the



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302 compound, approved in the original site plan for equipment  
303 enclosures and ancillary facilities by no more than a cumulative  
304 amount of 400 square feet or 50 percent of the original compound  
305 size, whichever is greater, shall, however, require no more than  
306 administrative review for compliance with the local government's  
307 regulations, including, but not limited to, land development  
308 regulations review, and building permit review, with no public  
309 hearing review. This sub-subparagraph does not preclude a public  
310 hearing for any appeal of the decision on the colocation  
311 application.

312         2. If a colocation does not meet the requirements of  
313 subparagraph 1., the local government may review the application  
314 under the local government's regulations, including, but not  
315 limited to, land development regulations, applicable to the  
316 placement of initial antennae and their accompanying equipment  
317 enclosure and ancillary facilities.

318         3. If a colocation meets the requirements of subparagraph  
319 1., the colocation may not be considered a modification to an  
320 existing structure or an impermissible modification of a  
321 nonconforming structure.

322         4. The owner of the existing tower on which the proposed  
323 antennae are to be colocated shall remain responsible for  
324 compliance with any applicable condition or requirement of a  
325 permit or agreement, or any applicable condition or requirement  
326 of the land development regulations to which the existing tower  
327 had to comply at the time the tower was permitted, including any  
328 aesthetic requirements, provided the condition or requirement is  
329 not inconsistent with this paragraph.

330         5. An existing tower, including a nonconforming tower, may



331 be structurally modified in order to permit colocation or may be  
332 replaced through no more than administrative review and building  
333 permit review, and is not subject to public hearing review, if  
334 the overall height of the tower is not increased and, if a  
335 replacement, the replacement tower is a monopole tower or, if  
336 the existing tower is a camouflaged tower, the replacement tower  
337 is a like-camouflaged tower. This subparagraph may not preclude  
338 a public hearing for any appeal of the decision on the  
339 application.

340 (b)1. A local government's land development and  
341 construction regulations for wireless communications facilities  
342 and the local government's review of an application for the  
343 placement, construction, or modification of a wireless  
344 communications facility shall only address land development or  
345 zoning issues. In such local government regulations or review,  
346 the local government may not require information on or evaluate  
347 a wireless provider's business decisions about its service,  
348 customer demand for its service, or quality of its service to or  
349 from a particular area or site, unless the wireless provider  
350 voluntarily offers this information to the local government. In  
351 such local government regulations or review, a local government  
352 may not require information on or evaluate the wireless  
353 provider's designed service unless the information or materials  
354 are directly related to an identified land development or zoning  
355 issue or unless the wireless provider voluntarily offers the  
356 information. Information or materials directly related to an  
357 identified land development or zoning issue may include, but are  
358 not limited to, evidence that no existing structure can  
359 reasonably be used for the antennae placement instead of the



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360 construction of a new tower, that residential areas cannot be  
361 served from outside the residential area, as addressed in  
362 subparagraph 3., or that the proposed height of a new tower or  
363 initial antennae placement or a proposed height increase of a  
364 modified tower, replacement tower, or colocation is necessary to  
365 provide the provider's designed service. Nothing in this  
366 paragraph shall limit the local government from reviewing any  
367 applicable land development or zoning issue addressed in its  
368 adopted regulations that does not conflict with this section,  
369 including, but not limited to, aesthetics, landscaping, land  
370 use-based location priorities, structural design, and setbacks.

371 2. Any setback or distance separation required of a tower  
372 may not exceed the minimum distance necessary, as determined by  
373 the local government, to satisfy the structural safety or  
374 aesthetic concerns that are to be protected by the setback or  
375 distance separation.

376 3. A local government may exclude the placement of wireless  
377 communications facilities in a residential area or residential  
378 zoning district but only in a manner that does not constitute an  
379 actual or effective prohibition of the provider's service in  
380 that residential area or zoning district. If a wireless provider  
381 demonstrates to the satisfaction of the local government that  
382 the provider cannot reasonably provide its service to the  
383 residential area or zone from outside the residential area or  
384 zone, the municipality or county and provider shall cooperate to  
385 determine an appropriate location for a wireless communications  
386 facility of an appropriate design within the residential area or  
387 zone. The local government may require that the wireless  
388 provider reimburse the reasonable costs incurred by the local



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389 government for this cooperative determination. An application  
390 for such cooperative determination may not be considered an  
391 application under paragraph (d).

392 4. A local government may impose a reasonable fee on  
393 applications to place, construct, or modify a wireless  
394 communications facility only if a similar fee is imposed on  
395 applicants seeking other similar types of zoning, land use, or  
396 building permit review. A local government may impose fees for  
397 the review of applications for wireless communications  
398 facilities by consultants or experts who conduct code compliance  
399 review for the local government but any fee is limited to  
400 specifically identified reasonable expenses incurred in the  
401 review. A local government may impose reasonable surety  
402 requirements to ensure the removal of wireless communications  
403 facilities that are no longer being used.

404 5. A local government may impose design requirements, such  
405 as requirements for designing towers to support colocation or  
406 aesthetic requirements, except as otherwise limited in this  
407 section, but may not impose or require information on compliance  
408 with building code type standards for the construction or  
409 modification of wireless communications facilities beyond those  
410 adopted by the local government under chapter 553 and that apply  
411 to all similar types of construction.

412 (c) Local governments may not require wireless providers to  
413 provide evidence of a wireless communications facility's  
414 compliance with federal regulations, except evidence of  
415 compliance with applicable Federal Aviation Administration  
416 requirements under 14 C.F.R. part 77, as amended, and evidence  
417 of proper Federal Communications Commission licensure, or other



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418 evidence of Federal Communications Commission authorized  
419 spectrum use, but may request the Federal Communications  
420 Commission to provide information as to a wireless provider's  
421 compliance with federal regulations, as authorized by federal  
422 law.

423 (d)1. A local government shall grant or deny each properly  
424 completed application for a colocation under subparagraph (a)1.  
425 based on the application's compliance with the local  
426 government's applicable regulations, as provided for in  
427 subparagraph (a)1. and consistent with this subsection, and  
428 within the normal timeframe for a similar building permit review  
429 but in no case later than 45 business days after the date the  
430 application is determined to be properly completed in accordance  
431 with this paragraph.

432 2. A local government shall grant or deny each properly  
433 completed application for any other wireless communications  
434 facility based on the application's compliance with the local  
435 government's applicable regulations, including but not limited  
436 to land development regulations, consistent with this subsection  
437 and within the normal timeframe for a similar type review but in  
438 no case later than 90 business days after the date the  
439 application is determined to be properly completed in accordance  
440 with this paragraph.

441 3.a. An application is deemed submitted or resubmitted on  
442 the date the application is received by the local government. If  
443 the local government does not notify the applicant in writing  
444 that the application is not completed in compliance with the  
445 local government's regulations within 20 business days after the  
446 date the application is initially submitted or additional





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447 information resubmitted, the application is deemed, for  
448 administrative purposes only, to be properly completed and  
449 properly submitted. However, the determination may not be deemed  
450 as an approval of the application. If the application is not  
451 completed in compliance with the local government's regulations,  
452 the local government shall so notify the applicant in writing  
453 and the notification must indicate with specificity any  
454 deficiencies in the required documents or deficiencies in the  
455 content of the required documents which, if cured, make the  
456 application properly completed. Upon resubmission of information  
457 to cure the stated deficiencies, the local government shall  
458 notify the applicant, in writing, within the normal timeframes  
459 of review, but in no case longer than 20 business days after the  
460 additional information is submitted, of any remaining  
461 deficiencies that must be cured. Deficiencies in document type  
462 or content not specified by the local government do not make the  
463 application incomplete. Notwithstanding this sub-subparagraph,  
464 if a specified deficiency is not properly cured when the  
465 applicant resubmits its application to comply with the notice of  
466 deficiencies, the local government may continue to request the  
467 information until such time as the specified deficiency is  
468 cured. The local government may establish reasonable timeframes  
469 within which the required information to cure the application  
470 deficiency is to be provided or the application will be  
471 considered withdrawn or closed.

472       b. If the local government fails to grant or deny a  
473 properly completed application for a wireless communications  
474 facility within the timeframes set forth in this paragraph, the  
475 application shall be deemed automatically approved and the



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476 applicant may proceed with placement of the facilities without  
477 interference or penalty. The timeframes specified in  
478 subparagraph 2. may be extended only to the extent that the  
479 application has not been granted or denied because the local  
480 government's procedures generally applicable to all other  
481 similar types of applications require action by the governing  
482 body and such action has not taken place within the timeframes  
483 specified in subparagraph 2. Under such circumstances, the local  
484 government must act to either grant or deny the application at  
485 its next regularly scheduled meeting or, otherwise, the  
486 application is deemed to be automatically approved.

487       c. To be effective, a waiver of the timeframes set forth in  
488 this paragraph must be voluntarily agreed to by the applicant  
489 and the local government. A local government may request, but  
490 not require, a waiver of the timeframes by the applicant, except  
491 that, with respect to a specific application, a one-time waiver  
492 may be required in the case of a declared local, state, or  
493 federal emergency that directly affects the administration of  
494 all permitting activities of the local government.

495       (e) The replacement of or modification to a wireless  
496 communications facility, except a tower, that results in a  
497 wireless communications facility not readily discernibly  
498 different in size, type, and appearance when viewed from ground  
499 level from surrounding properties, and the replacement or  
500 modification of equipment that is not visible from surrounding  
501 properties, all as reasonably determined by the local  
502 government, are subject to no more than applicable building  
503 permit review.

504       (f) Any other law to the contrary notwithstanding, the



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505 Department of Management Services shall negotiate, in the name  
506 of the state, leases for wireless communications facilities that  
507 provide access to state government-owned property not acquired  
508 for transportation purposes, and the Department of  
509 Transportation shall negotiate, in the name of the state, leases  
510 for wireless communications facilities that provide access to  
511 property acquired for state rights-of-way. On property acquired  
512 for transportation purposes, leases shall be granted in  
513 accordance with s. 337.251. On other state government-owned  
514 property, leases shall be granted on a space available, first-  
515 come, first-served basis. Payments required by state government  
516 under a lease must be reasonable and must reflect the market  
517 rate for the use of the state government-owned property. The  
518 Department of Management Services and the Department of  
519 Transportation are authorized to adopt rules for the terms and  
520 conditions and granting of any such leases.

521 (g) If any person adversely affected by any action, or  
522 failure to act, or regulation, or requirement of a local  
523 government in the review or regulation of the wireless  
524 communication facilities files an appeal or brings an  
525 appropriate action in a court or venue of competent  
526 jurisdiction, following the exhaustion of all administrative  
527 remedies, the matter shall be considered on an expedited basis.

528 Section 6. For the purpose of incorporating the amendment  
529 made by this act to section 330.27, Florida Statutes, in a  
530 reference thereto, subsection (2) of section 379.2293, Florida  
531 Statutes, is reenacted to read:

532 379.2293 Airport activities within the scope of a federally  
533 approved wildlife hazard management plan or a federal or state



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534 permit or other authorization for depredation or harassment.-

535 (2) An airport authority or other entity owning or  
536 operating an airport, as defined in s. 330.27(2), is not subject  
537 to any administrative or civil penalty, restriction, or other  
538 sanction with respect to any authorized action taken in a non-  
539 negligent manner for the purpose of protecting human life or  
540 aircraft safety from wildlife hazards.

541 Section 7. For the purpose of incorporating the amendment  
542 made by this act to section 330.27, Florida Statutes, in a  
543 reference thereto, subsection (22) of section 493.6101, Florida  
544 Statutes, is reenacted to read:

545 493.6101 Definitions.-

546 (22) "Repossession" means the recovery of a motor vehicle  
547 as defined under s. 320.01(1), a mobile home as defined in s.  
548 320.01(2), a motorboat as defined under s. 327.02, an aircraft  
549 as defined in s. 330.27(1), a personal watercraft as defined in  
550 s. 327.02, an all-terrain vehicle as defined in s. 316.2074,  
551 farm equipment as defined under s. 686.402, or industrial  
552 equipment, by an individual who is authorized by the legal  
553 owner, lienholder, or lessor to recover, or to collect money  
554 payment in lieu of recovery of, that which has been sold or  
555 leased under a security agreement that contains a repossession  
556 clause. As used in this subsection, the term "industrial  
557 equipment" includes, but is not limited to, tractors, road  
558 rollers, cranes, forklifts, backhoes, and bulldozers. The term  
559 "industrial equipment" also includes other vehicles that are  
560 propelled by power other than muscular power and that are used  
561 in the manufacture of goods or used in the provision of  
562 services. A repossession is complete when a licensed recovery



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563 agent is in control, custody, and possession of such repossessed  
564 property. Property that is being repossessed shall be considered  
565 to be in the control, custody, and possession of a recovery  
566 agent if the property being repossessed is secured in  
567 preparation for transport from the site of the recovery by means  
568 of being attached to or placed on the towing or other transport  
569 vehicle or if the property being repossessed is being operated  
570 or about to be operated by an employee of the recovery agency.

571 Section 8. For the purpose of incorporating the amendment  
572 made by this act to section 330.27, Florida Statutes, in a  
573 reference thereto, paragraph (c) of subsection (1) of section  
574 493.6403, Florida Statutes, is reenacted to read:

575 493.6403 License requirements.—

576 (1) In addition to the license requirements set forth in  
577 this chapter, each individual or agency shall comply with the  
578 following additional requirements:

579 (c) An applicant for a Class "E" license shall have at  
580 least 1 year of lawfully gained, verifiable, full-time  
581 experience in one, or a combination of more than one, of the  
582 following:

583 1. Repossession of motor vehicles as defined in s.  
584 320.01(1), mobile homes as defined in s. 320.01(2), motorboats  
585 as defined in s. 327.02, aircraft as defined in s. 330.27(1),  
586 personal watercraft as defined in s. 327.02, all-terrain  
587 vehicles as defined in s. 316.2074, farm equipment as defined  
588 under s. 686.402, or industrial equipment as defined in s.  
589 493.6101(22).

590 2. Work as a Class "EE" licensed intern.

591 Section 9. This act shall take effect July 1, 2024.



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

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled  
An act relating to aviation; amending s. 330.27, F.S.;  
revising definitions; amending s. 330.30, F.S.;  
beginning on a specified date, requiring the owner or  
lessee of a proposed vertiport to comply with a  
specified provision in obtaining certain approval and  
license or registration; requiring the Department of  
Transportation to conduct a final physical inspection  
of the vertiport to ensure compliance with specified  
requirements; conforming a cross-reference; creating  
s. 332.15, F.S.; providing duties of the department,  
within specified resources, with respect to  
vertiports, advanced air mobility, and other advances  
in aviation technology; amending s. 333.03, F.S.;  
revising requirements for the adoption of airport land  
use compatibility zoning regulations; reenacting ss.  
365.172(13), 379.2293(2), 493.6101(22), and  
493.6403(1)(c), F.S., relating to emergency  
communications, airport activities within the scope of  
a federally approved wildlife hazard management plan  
or a federal or state permit or other authorization  
for depredation or harassment, definitions, and  
license requirements, respectively, to incorporate the  
amendment made to s. 330.27, F.S., in references



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thereto; providing an effective date.