

1                                   A bill to be entitled  
 2           An act relating to aviation; amending s. 330.27, F.S.;  
 3           revising definitions; amending s. 330.30, F.S.;  
 4           requiring the owner or lessee of a proposed vertiport  
 5           to comply with specified requirements; requiring the  
 6           Department of Transportation to conduct a specified  
 7           inspection of a vertiport; amending s. 332.006, F.S.;  
 8           requiring the department to designate a subject matter  
 9           expert for advanced air mobility; providing location  
 10          and purpose of such expert; creating s. 332.15, F.S.;  
 11          providing legislative intent; providing duties of the  
 12          department; requiring a report to the Governor and  
 13          Legislature; providing report requirements;  
 14          designating the Greater Orlando Aviation Authority as  
 15          the advanced air mobility test site for this state;  
 16          amending s. 333.03, F.S.; revising requirements for  
 17          the adoption of airport land use compatibility zoning  
 18          regulations; providing an effective date.

19  
 20 Be It Enacted by the Legislature of the State of Florida:

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 22           Section 1. Subsections (1), (2), and (8) of section  
 23   330.27, Florida Statutes, are amended to read:  
 24           330.27 Definitions, when used in ss. 330.29-330.39.—  
 25           (1) "Aircraft" means a powered or unpowered machine or

26 | device capable of atmospheric flight, including, but not limited  
 27 | to, an airplane, autogyro, glider, gyrodyne, helicopter, lift  
 28 | and cruise, multicopter, paramotor, powered lift, seaplane,  
 29 | tiltrotor, ultralight, and vectored thrust. The term does not  
 30 | include ~~except~~ a parachute or other such device used primarily  
 31 | as safety equipment.

32 | (2) "Airport" means an area of land or water used for, or  
 33 | intended to be used for, ~~landing and takeoff of~~ aircraft  
 34 | operations, which may include ~~including~~ appurtenant areas,  
 35 | buildings, facilities, or rights-of-way necessary to facilitate  
 36 | such use or intended use, if any exist. The term includes, but  
 37 | is not limited to, an airpark, airport, gliderport, heliport,  
 38 | helistop, seaplane base, ultralight flightpark, vertiport, and  
 39 | vertistop.

40 | ~~(8) "Ultralight aircraft" means any aircraft meeting the~~  
 41 | ~~criteria established by part 103 of the Federal Aviation~~  
 42 | ~~Regulations.~~

43 | Section 2. Subsections (3) and (4) of section 330.30,  
 44 | Florida Statutes, are renumbered as subsections (4) and (5),  
 45 | respectively, paragraph (a) of subsection (1), paragraph (a) of  
 46 | subsection (2), and present subsection (4) are amended, and a  
 47 | new subsection (3) is added to that section, to read:

48 | 330.30 Approval of airport sites; registration and  
 49 | licensure of airports.—

50 | (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,

51 REVOCATION.—

52 (a) Except as provided in subsection (4) ~~(3)~~, the owner or  
 53 lessee of a proposed airport shall, before site acquisition or  
 54 construction or establishment of the proposed airport, obtain  
 55 approval of the airport site from the department. Applications  
 56 for approval of a site shall be made in a form and manner  
 57 prescribed by the department. The department shall grant the  
 58 site approval if it is satisfied:

59 1. That the site has adequate area allocated for the  
 60 airport as proposed.

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

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

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

71 (2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,  
 72 REVOCATION.—

73 (a) Except as provided in subsection (4) ~~(3)~~, the owner or  
 74 lessee of an airport in this state shall have a public airport  
 75 license, private airport registration, or temporary airport

76 registration before the operation of aircraft to or from the  
77 airport. Application for a license or registration shall be made  
78 in a form and manner prescribed by the department.

79 1. For a public airport, upon granting site approval, the  
80 department shall issue a license after a final airport  
81 inspection finds the airport to be in compliance with all  
82 requirements for the license. The license may be subject to any  
83 reasonable conditions the department deems necessary to protect  
84 the public health, safety, or welfare.

85 2. For a private airport, upon granting site approval, the  
86 department shall provide controlled electronic access to the  
87 state aviation facility data system to permit the applicant to  
88 complete the registration process. Registration shall be  
89 completed upon self-certification by the registrant of  
90 operational and configuration data deemed necessary by the  
91 department.

92 3. For a temporary airport, the department must publish  
93 notice of receipt of a completed registration application in the  
94 next available publication of the Florida Administrative  
95 Register and may not approve a registration application less  
96 than 14 days after the date of publication of the notice. The  
97 department must approve or deny a registration application  
98 within 30 days after receipt of a completed application and must  
99 issue the temporary airport registration concurrent with the  
100 airport site approval. A completed registration application that

101 is not approved or denied within 30 days after the department  
102 receives the completed application is considered approved and  
103 shall be issued, subject to such reasonable conditions as are  
104 authorized by law. An applicant seeking to claim registration by  
105 default under this subparagraph must notify the agency clerk of  
106 the department, in writing, of the intent to rely upon the  
107 default registration provision of this subparagraph and may not  
108 take any action based upon the default registration until after  
109 receipt of such notice by the agency clerk.

110 (3) VERTIPOINTS.—On or after July 1, 2024, the owner or  
111 lessee of a proposed vertiport must comply with subsection (1)  
112 in obtaining site approval and subsection (2) in obtaining an  
113 airport license or registration. In conjunction with the  
114 granting of site approval, the department must conduct a final  
115 physical inspection of the vertiport to ensure compliance with  
116 all the requirements for airport licensure or registration.

117 (5)-(4) EXCEPTIONS.—Private airports with 10 or more based  
118 aircraft may request to be inspected and licensed by the  
119 department. Private airports licensed according to this  
120 subsection shall be considered private airports as defined in s.  
121 330.27 s. 330.27(5) in all other respects.

122 Section 3. Subsection (10) is added to section 332.006,  
123 Florida Statutes, to read:

124 332.006 Duties and responsibilities of the Department of  
125 Transportation.—The Department of Transportation shall, within

126 | the resources provided pursuant to chapter 216:

127 |       (10) Designate a subject matter expert for advanced air  
 128 | mobility within the department's aviation office. The advanced  
 129 | air mobility subject matter expert shall be:

130 |           (a) Located in the office of the department's district  
 131 | that includes the City of Orlando.

132 |           (b) A resource for local jurisdictions navigating advances  
 133 | in aviation technology, including vertical takeoff and landing  
 134 | aircraft, and electrification of aviation.

135 |       Section 4. Section 332.15, Florida Statutes, is created to  
 136 | read:

137 |       332.15 Advanced air mobility.—

138 |           (1) It is the intent of the Legislature to promote the  
 139 | development of vertical takeoff and landing aircraft and  
 140 | vertiports that will provide residents and visitors of this  
 141 | state with access to advanced air mobility operations.

142 |           (2) The Department of Transportation shall:

143 |           (a) Serve as a resource for local governments and  
 144 | developers and operators of vertical takeoff and landing  
 145 | aircraft and vertiports.

146 |           (b) By December 31, 2024, provide to the Governor, the  
 147 | President of the Senate, and the Speaker of the House of  
 148 | Representatives a report describing all of the following:

149 |           1. The status of the advanced air mobility industry  
 150 | nationwide and of charging and fueling capabilities.

151 2. Current and proposed airports where advanced air  
152 mobility operations are occurring or will occur.

153 3. Advances in aviation technology relating to advanced  
154 air mobility.

155 4. The status of federal regulations relevant to vertical  
156 takeoff and landing aircraft and vertiports, including any  
157 updates to 14 C.F.R. part 77 or other relevant federal  
158 regulations.

159 5. Recommendations for ways, including potential statutory  
160 changes, to facilitate land use compatibility around vertiports.

161 6. Advanced air mobility best practices.

162 7. Recommendations for increased Department of  
163 Transportation personnel to accommodate necessary inspections of  
164 advanced air mobility operations.

165 8. Recommendations for ways, including potential statutory  
166 changes, to incorporate advanced air mobility in the Department  
167 of Transportation's Strategic Intermodal System.

168 9. Ways the Department of Transportation may use, promote,  
169 and further advanced air mobility for the public good,  
170 including, but not limited to, medical transportation, emergency  
171 services, law enforcement, and disaster relief.

172 10. The future infrastructure needed to support and  
173 further advanced air mobility operations.

174 (4) The Greater Orlando Aviation Authority is designated  
175 as the advanced air mobility test site for this state.

176 Section 5. Subsection (2) of section 333.03, Florida  
 177 Statutes, is amended to read:

178 333.03 Requirement to adopt airport zoning regulations.-

179 (2) In the manner provided in subsection (1), political  
 180 subdivisions shall adopt, administer, and enforce airport land  
 181 use compatibility zoning regulations. At a minimum, airport land  
 182 use compatibility zoning regulations must address ~~shall, at a~~  
 183 ~~minimum, consider~~ the following:

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

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

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

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

194 (b) When ~~Where~~ any landfill is located and constructed in  
 195 a manner that attracts or sustains hazardous bird movements from  
 196 feeding, water, or roosting areas into, or across, the runways  
 197 or approach and departure patterns of aircraft. The landfill  
 198 operator must incorporate bird management techniques or other  
 199 practices to minimize bird hazards to airborne aircraft.

200 (c) When ~~Where~~ an airport authority or other governing



201 body operating a public-use airport has conducted a noise study  
 202 in accordance with 14 C.F.R. part 150, or when ~~where~~ a public-  
 203 use airport owner has established noise contours pursuant to  
 204 another public study accepted by the Federal Aviation  
 205 Administration, the prohibition of incompatible uses, as  
 206 established in the noise study in 14 C.F.R. part 150, Appendix A  
 207 or as a part of an alternative Federal Aviation Administration-  
 208 accepted public study, within the noise contours established by  
 209 any of these studies, except if such uses are specifically  
 210 contemplated by such study with appropriate mitigation or  
 211 similar techniques described in the study.

212 (d) When ~~Where~~ an airport authority or other governing  
 213 body operating a public-use airport has not conducted a noise  
 214 study, the prohibition ~~mitigation~~ of ~~potential incompatible uses~~  
 215 ~~associated with~~ residential construction and ~~any~~ educational  
 216 facilities ~~facility~~, with the exception of aviation school  
 217 facilities or residential property near a public-use airport  
 218 that has as its sole runway a turf runway measuring less than  
 219 2,800 feet in length, within an area contiguous to the airport  
 220 measuring one-half the length of the longest runway on either  
 221 side of and at the end of each runway centerline.

222 (e) The restriction of new incompatible uses, activities,  
 223 or substantial modifications to existing incompatible uses  
 224 within runway protection zones.

225 Section 6. This act shall take effect July 1, 2024.