

1 A bill to be entitled
2 An act relating to advanced air mobility; providing a
3 short title; amending s. 212.08, F.S.; providing an
4 exemption from the sales and use tax for electric
5 vertical takeoff and landing aircraft and related
6 items; amending s. 255.065, F.S.; revising the
7 definition of the term "qualifying project"; creating
8 s. 330.412, F.S.; defining the term "vertiport";
9 providing immunity from liability for certain
10 vertiport operators; providing applicability;
11 requiring the Department of Transportation to adopt
12 rules; amending s. 332.007, F.S.; revising the
13 definition of the term "airport infrastructure";
14 authorizing the department to fund up to specified
15 percentages of vertiport project costs; amending s.
16 332.15, F.S.; providing requirements for the
17 department; creating s. 332.151, F.S.; defining the
18 term "vertiport"; requiring the department to
19 expeditiously approve certain vertiports; preempting
20 the regulation of vertiport design, aeronautical
21 operations, and aviation safety to this state;
22 providing exceptions; preempting the regulation of
23 electric aircraft charging stations and associated
24 infrastructure to this state; prohibiting a local
25 governmental entity from enacting or enforcing certain

ordinances and regulations; providing requirements for local governmental entities; providing an effective date.

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

Section 1. This act may be cited as the "Advanced Air Mobility Competitiveness and Infrastructure Act."

Section 2. Paragraph (ffff) is added to subsection (7) of section 212.08, Florida Statutes, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has

51 obtained a sales tax exemption certificate from the department
52 or the entity obtains or provides other documentation as
53 required by the department. Eligible purchases or leases made
54 with such a certificate must be in strict compliance with this
55 subsection and departmental rules, and any person who makes an
56 exempt purchase with a certificate that is not in strict
57 compliance with this subsection and the rules is liable for and
58 shall pay the tax. The department may adopt rules to administer
59 this subsection.

60 (ffff) Electric vertical takeoff and landing aircraft and
61 related items.—The sale of the following is exempt from the tax
62 imposed by this chapter:

63 1. Electric vertical takeoff and landing aircraft,
64 batteries, and training devices placed into service for at least
65 36 months.

66 2. Electricity used for electric vertical takeoff and
67 landing aircraft training operations.

68 **Section 3. Paragraph (i) of subsection (1) of section**
69 **255.065, Florida Statutes, is amended to read:**

70 255.065 Public-private partnerships.—

71 (1) DEFINITIONS.—As used in this section, the term:

72 (i) "Qualifying project" means:

73 1. A facility or project that serves a public purpose,
74 including, but not limited to, any ferry or mass transit
75 facility, vehicle parking facility, airport or seaport facility,

76 rail facility or project, fuel supply facility, oil or gas
77 pipeline, medical or nursing care facility, recreational
78 facility, sporting or cultural facility, or educational facility
79 or other building or facility that is used or will be used by a
80 public educational institution, or any other public facility or
81 infrastructure that is used or will be used by the public at
82 large or in support of an accepted public purpose or activity;

83 2. An improvement, including equipment, of a building that
84 will be principally used by a public entity or the public at
85 large or that supports a service delivery system in the public
86 sector;

87 3. A water, wastewater, or surface water management
88 facility or other related infrastructure; ~~or~~

89 4. Notwithstanding any provision of this section, for
90 projects that involve a facility owned or operated by the
91 governing board of a county, district, or municipal hospital or
92 health care system, or projects that involve a facility owned or
93 operated by a municipal electric utility, only those projects
94 that the governing board designates as qualifying projects
95 pursuant to this section; or

96 5. Vertiports and charging systems.

97 **Section 4. Section 330.412, Florida Statutes, is created**
98 **to read:**

99 330.412 Limitation of liability for certain public or
100 private vertiport operators.—

101 (1) For purposes of this section, the term "vertiport" has
102 the same meaning as in s. 332.151(1).

103 (2) A vertiport operator is not liable for any personal
104 injury, wrongful death, property damage, or other economic loss
105 related to his or her acts or omissions in the performance of
106 his or her services unless the act or omission constituted gross
107 negligence or willful misconduct.

108 (3) The limitation of liability provided in subsection (2)
109 applies only if the vertiport operator posts and maintains a
110 clearly legible warning sign in a conspicuous location at the
111 vertiport which notifies the public of the liability protections
112 afforded under this section.

113 (4) The Department of Transportation shall adopt rules to
114 implement this section.

115 **Section 5. Paragraph (c) of subsection (2) of section**
116 **332.007, Florida Statutes, is amended, and paragraph (e) is**
117 **added to subsection (6) of that section, to read:**

118 332.007 Administration and financing of aviation and
119 airport programs and projects; state plan.—

120 (2)

121 (c) Each commercial service airport as defined in s.
122 332.0075 shall establish and maintain a comprehensive airport
123 infrastructure program to ensure the ongoing preservation of
124 airport infrastructure and facilities in safe and serviceable
125 condition. For purposes of this paragraph, the term "airport

infrastructure" means the facilities, systems, and structural components of an airport necessary for the safe and efficient movement of people and goods. The term includes vertiport pads, safety zones, charging systems, grid upgrades, and resilience energy systems. Beginning November 1, 2025, and annually thereafter, each commercial service airport shall provide a certification to the department, in a manner prescribed by the department, that it has established and maintains a comprehensive airport infrastructure program. The comprehensive airport infrastructure program report, and related documents and records, must be open to inspection by the department and maintained by the airport for at least 5 years. The comprehensive airport infrastructure program must, at a minimum, include all of the following:

1. Identification of airport infrastructure subject to inspection and the schedule for the completion of such inspections, taking into consideration the age, type, intended use, and criticality of the infrastructure to uninterrupted commercial or cargo operations.

2. A preventative maintenance program for routine maintenance of airport infrastructure, for both commercial and cargo operations.

3. A plan to complete any necessary repairs to, or rehabilitation or reconstruction of, airport infrastructure, including prioritization and anticipated timeframe for

151 completion of the work.

152 4. A progress report of inspections and their outcomes,
153 preventative maintenance, and previously identified repair to,
154 or rehabilitation or reconstruction of, airport infrastructure.
155 The progress report must include any changes in timeline for
156 completion, changes in cost estimates, and reasons any
157 inspection, preventative maintenance, or repair or
158 rehabilitation did not take place.

159 (6) Subject to the availability of appropriated funds, the
160 department may participate in the capital cost of eligible
161 public-use airport and aviation development projects in
162 accordance with the following rates, unless otherwise provided
163 in the General Appropriations Act or the substantive bill
164 implementing the General Appropriations Act:

165 (e) When federal funds are not available, the department
166 may fund up to 100 percent of the project costs of a public or
167 private vertiport. If federal funds are available, the
168 department may fund up to 80 percent of the nonfederal share of
169 such project costs.

170 **Section 6. Subsection (5) is added to section 332.15,**
171 **Florida Statutes, to read:**

172 332.15 Advanced air mobility.—The Department of
173 Transportation shall:

174 (5) Create a model vertiport siting code, establish
175 vertiport demonstration corridors, and adopt rules and

176 regulations for coordination among the department, the Federal
177 Aviation Administration, and local governmental entities with
178 respect to vertiports.

179 **Section 7. Section 332.151, Florida Statutes, is created**
180 **to read:**

181 332.151 Vertiport siting; preemption.—

182 (1) The term "vertiport" means an area of land, a body of
183 water, or a structure used or intended to be used for the
184 landing, takeoff, and surface maneuvering of vertical takeoff
185 and landing aircraft, including electric, hybrid, and hydrogen-
186 powered aircraft. The term includes associated buildings,
187 facilities, and infrastructure necessary for the safe and
188 efficient operation of such aircraft, including, but not limited
189 to, electric charging and fueling systems, battery thermal
190 management infrastructure, safety areas, and passenger
191 terminals.

192 (2) The Department of Transportation shall expeditiously
193 approve vertiports adopting the model vertiport siting code
194 created pursuant to s. 332.15(5).

195 (3) The regulation of vertiport design, aeronautical
196 operations, and aviation safety is preempted to this state to
197 ensure consistency with federal regulations. This subsection
198 does not apply to local land use and zoning authority, or to
199 reasonable noise compatibility ordinances, provided such local
200 regulations do not effectively prohibit the operation of

201 advanced air mobility aircraft authorized by the Federal
202 Aviation Administration.

203 (4) (a) The regulation of electric aircraft charging
204 stations and associated infrastructure is preempted to this
205 state.

206 (b) A local governmental entity may not enact or enforce
207 an ordinance or regulation related to the design, construction,
208 or installation of electric aircraft charging stations.

209 (c) Local governmental entities shall issue any required
210 building permits for electric aircraft charging stations based
211 solely upon compliance with the standards established by the
212 Department of Transportation under s. 332.15(5).

213 (d) If a local governmental entity does not approve or
214 deny a permit application for an electric aircraft charging
215 station within 15 business days after receipt of a complete
216 application, the application shall be deemed approved.

217 **Section 8.** This act shall take effect July 1, 2026.