

By Senator Harrell

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A bill to be entitled

An act relating to advanced air mobility; providing a short title; amending s. 212.08, F.S.; providing an exemption from the sales and use tax for certain electric vertical takeoff and landing aircraft and related items and for electricity used for certain training operations; amending s. 255.065, F.S.; revising the definition of the term "qualifying project"; creating s. 330.412, F.S.; defining the term "vertiport"; providing immunity from liability for certain vertiport operators; providing applicability; requiring the Department of Transportation to adopt rules; amending s. 332.007, F.S.; revising the definition of the term "airport infrastructure"; authorizing the department to fund up to specified percentages of vertiport project costs; amending s. 332.15, F.S.; providing requirements for the department; creating s. 332.151, F.S.; defining the term "vertiport"; requiring the department to expeditiously approve certain vertiports; preempting the regulation of vertiport design, aeronautical operations, and aviation safety to the state; providing exceptions; preempting the regulation of electric aircraft charging stations and associated infrastructure to the state; prohibiting a local governmental entity from enacting or enforcing certain ordinances and regulations; requiring local governmental entities to issue certain building permits based solely upon compliance with specified

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standards; providing that a permit application for an electric aircraft charging station shall be deemed approved under certain circumstances; 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 obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made

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with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

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

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

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

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

255.065 Public-private partnerships.—

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

(i) "Qualifying project" means:

1. A facility or project that serves a public purpose, including, but not limited to, any ferry or mass transit facility, vehicle parking facility, airport or seaport facility, rail facility or project, fuel supply facility, oil or gas pipeline, medical or nursing care facility, recreational facility, sporting or cultural facility, or educational facility or other building or facility that is used or will be used by a public educational institution, or any other public facility or infrastructure that is used or will be used by the public at large or in support of an accepted public purpose or activity;

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

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

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

5. Vertiports and charging systems.

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

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

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

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

(3) The limitation of liability provided in subsection (2) applies only if the vertiport operator posts and maintains a clearly legible warning sign in a conspicuous location at the vertiport which notifies the public of the liability protections

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117 afforded under this section.

118 (4) The Department of Transportation shall adopt rules to  
119 implement this section.

120 Section 5. Paragraph (c) of subsection (2) of section  
121 332.007, Florida Statutes, is amended, and paragraph (e) is  
122 added to subsection (6) of that section, to read:

123 332.007 Administration and financing of aviation and  
124 airport programs and projects; state plan.—

125 (2)

126 (c) Each commercial service airport as defined in s.  
127 332.0075 shall establish and maintain a comprehensive airport  
128 infrastructure program to ensure the ongoing preservation of  
129 airport infrastructure and facilities in safe and serviceable  
130 condition. For purposes of this paragraph, the term "airport  
131 infrastructure" means the facilities, systems, and structural  
132 components of an airport necessary for the safe and efficient  
133 movement of people and goods. The term includes vertiport pads,  
134 safety zones, charging systems, grid upgrades, and resilience  
135 energy systems. Beginning November 1, 2025, and annually  
136 thereafter, each commercial service airport shall provide a  
137 certification to the department, in a manner prescribed by the  
138 department, that it has established and maintains a  
139 comprehensive airport infrastructure program. The comprehensive  
140 airport infrastructure program report, and related documents and  
141 records, must be open to inspection by the department and  
142 maintained by the airport for at least 5 years. The  
143 comprehensive airport infrastructure program must, at a minimum,  
144 include all of the following:

145 1. Identification of airport infrastructure subject to

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146 inspection and the schedule for the completion of such  
147 inspections, taking into consideration the age, type, intended  
148 use, and criticality of the infrastructure to undisrupted  
149 commercial or cargo operations.

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

153 3. A plan to complete any necessary repairs to, or  
154 rehabilitation or reconstruction of, airport infrastructure,  
155 including prioritization and anticipated timeframe for  
156 completion of the work.

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

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

170 (e) When federal funds are not available, the department  
171 may fund up to 100 percent of the project costs of a public or  
172 private vertiport. If federal funds are available, the  
173 department may fund up to 80 percent of the nonfederal share of  
174 such project costs.

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

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

(5) Create a model vertiport siting code, establish vertiport demonstration corridors, and adopt rules for coordination among the department, the Federal Aviation Administration, and local governmental entities with respect to vertiports.

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

332.151 Vertiport siting; preemption.—

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

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

(3) The regulation of vertiport design, aeronautical operations, and aviation safety is preempted to the state to ensure consistency with federal regulations. This subsection does not apply to local land use and zoning authority or to

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reasonable noise compatibility ordinances, provided such local regulations do not effectively prohibit the operation of advanced air mobility aircraft authorized by the Federal Aviation Administration.

(4) (a) The regulation of electric aircraft charging stations and associated infrastructure is preempted to the state.

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

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

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

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