A bill to be entitled
An act relating to aviation; amending s. 330.27, F.S.;
revising and providing definitions; amending s.
330.30, F.S.; requiring the owner or lessee of a
current or proposed private airport who desires to
operate a vertiport to obtain a powered-lift aircraft
derendorsement from the Department of Transportation;
providing requirements therefor; providing
requirements for maintaining validity of and
recertifying such endorsement; authorizing the
department to revoke or refuse to approve or issue
such endorsement or recertification under certain
circumstances; amending s. 330.36, F.S.; prohibiting a
county or municipality from licensing vertiports or
controlling their location; preempting the
determination of suitable sites and safety standards
therefor to the state; prohibiting a county or
municipality from issuing occupational licenses to
vertiport operators; specifying nonapplicability of
certain regulations to vertiport sites; amending s.
332.006, F.S.; requiring the department to designate a
subject matter expert for advanced air mobility;
providing location and purpose of such expert;
creating s. 332.15, F.S.; providing legislative
intent; providing definitions; providing duties of the
Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 330.27, Florida Statutes, is 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, except a parachute or other such device used primarily as safety equipment. The term includes powered-lift aircraft.

(2) "Airport" means an area of land or water used for, or intended to be used for, landing and takeoff of aircraft, including appurtenant areas, buildings, facilities, or rights-of-way necessary to facilitate such use or intended use. The term includes a vertiport.

(3) "Department" means the Department of Transportation.

(4) "Limited airport" means any airport limited department; requiring an annual report to the Governor and Legislature; designating the Greater Orlando Aviation Authority as the advanced air mobility test site for this state; amending s. 333.03, F.S.; revising considerations required for the adoption of airport land use compatibility zoning regulations; amending s. 333.02, F.S.; conforming a provision to changes made by the act; providing an effective date.
Section 2. Subsections (3) and (4) of section 330.30,

CODING: Words **stricken** are deletions; words *underlined* are additions.
Florida Statutes, are renumbered as subsections (4) and (5), respectively, paragraph (a) of subsection (1), paragraph (a) of subsection (2), and present subsection (4) are amended, and a new subsection (3) is added to that section, to read:

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

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

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

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

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

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

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

(2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,
REVO
CATION.—

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

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

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

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

(3) VERTIPORTS.—
(a) On or after October 1, 2024, the owner or lessee of a
current or proposed private airport who desires to allow
operation of powered-lift aircraft to or from the airport via a
vertiport must obtain the department's approval in the form of a
powered-lift aircraft endorsement before commencing such
operations. Applications for approval of a powered-lift aircraft
endorsement shall be made in a form and manner prescribed by the
department, and the department shall streamline the application
and recertification process for the endorsement with the application and recertification process for registration as a private airport. The department shall grant the endorsement if it is satisfied that:

1. The site has adequate area allocated for the proposed vertiport.
2. The proposed vertiport will conform to the private airport's other registration requirements.
3. All affected airports, local governments, and property owners have been notified of the proposed vertiport, and any comments submitted by them have been given adequate consideration.
4. Safe air traffic patterns can be established for the proposed vertiport in relation to all existing airports and approved airport sites in the vicinity of the proposed vertiport.

(b) Approval of a powered-lift aircraft endorsement shall be granted only after receipt of documentation in a form and manner the department deems necessary to satisfy the conditions in paragraph (a).

(c) Approval of a powered-lift aircraft endorsement may be granted subject to any reasonable conditions the department deems necessary to protect the public health, safety, or welfare.

(d) The department shall issue a powered-lift aircraft
endorsement after a final physical inspection of the proposed vertiport finds the vertiport to be in compliance with all requirements for the endorsement.

(e) The powered-lift aircraft endorsement shall remain valid only if the private airport's registration remains valid under subsection (2). The private airport registrant who holds the powered-lift aircraft endorsement must periodically certify, by electronic submittal, specific elements of vertiport data established by the department. The recertification for the powered-lift aircraft endorsement must be completed at the time of recertification of the private airport's registration pursuant to subsection (2). The expiration date of the current powered-lift aircraft endorsement will be clearly identifiable from the state aviation facility data system.

(f) The department may revoke, or refuse to approve or issue, any powered-lift aircraft endorsement or recertification if it determines that:

1. The site has been abandoned as a vertiport;
2. The airport does not comply with the conditions of the powered-lift aircraft endorsement; or
3. The vertiport has become either unsafe or unusable for flight operation due to physical or legal changes in conditions that were the subject of approval.

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

Section 3. Subsection (3) is added to section 330.36, Florida Statutes, to read:

330.36 Prohibition against county or municipal licensing of airports or vertiports; regulation of seaplane landings.—

(3) Notwithstanding subsection (1), a county or municipality of this state may not license vertiports or control their location. The determination of suitable sites and standards of safety for vertiports is preempted to the state and shall be in accordance with this chapter. A county or municipality may not issue occupational licenses to operators of vertiports. Local government land development regulations and zoning requirements do not apply to vertiport sites.

Section 4. Subsection (10) is added to section 332.006, Florida Statutes, to read:

332.006 Duties and responsibilities of the Department of Transportation.—The Department of Transportation shall, within the resources provided pursuant to chapter 216:

(10) Designate a subject matter expert for advanced air mobility, as defined in s. 332.15(2), within the department's aviation office. The advanced air mobility subject matter expert shall be:

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

(b) A resource for local jurisdictions navigating advances in aviation technology, including powered-lift aircraft as defined in s. 330.27, and electrification of aviation.

Section 5. Section 332.15, Florida Statutes, is created to read:

332.15 Advanced air mobility.—

(1) It is the intent of the Legislature to promote the development of powered-lift aircraft and vertiports that will provide residents and visitors of this state with access to advanced air mobility operations.

(2) As used in this section, the term:

(a) "Advanced air mobility" means an air transportation system primarily using powered-lift aircraft to carry passengers or cargo or to provide other services in an urban or regional setting.

(b) "Department" means the Department of Transportation.

(c) "Powered-lift aircraft" has the same meaning as in s. 330.27.

(d) "Vertiport" has the same meaning as in s. 330.27.

(3) The department shall:

(a) Serve as a resource for local governments and developers and operators of powered-lift aircraft and vertiports.

(b) By December 31, 2024, and each year thereafter,
provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report describing all of the following:

1. The status of the advanced air mobility industry nationwide and of charging and fueling capabilities.
2. Current and proposed airports where advanced air mobility operations are occurring or will occur.
3. Advances in aviation technology relating to advanced air mobility.
4. The status of federal regulations relevant to powered-lift aircraft and vertiports, including any updates since the prior year's report to 14 C.F.R. part 77 or other relevant federal regulations.
5. Recommendations for ways, including potential statutory changes, to facilitate land use compatibility around vertiports.
7. Recommendations for increased department personnel to accommodate necessary inspections of advanced air mobility operations.
8. Recommendations for ways, including potential statutory changes, to incorporate advanced air mobility in the department's Strategic Intermodal System.
9. Ways the department may use, promote, and further advanced air mobility for the public good, including, but not limited to, medical transportation, emergency services, law
enforcement, and disaster relief.

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

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

Section 6. Paragraph (a) of subsection (2) of section 333.03, Florida Statutes, is amended to read:

333.03 Requirement to adopt airport zoning regulations.—

(2) In the manner provided in subsection (1), political subdivisions shall adopt, administer, and enforce airport land use compatibility zoning regulations. Airport land use compatibility zoning regulations shall, at a minimum, consider the following:

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

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

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

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

Section 7. Subsection (1) of section 333.02, Florida Statutes, is amended to read:
333.02 Airport hazards and uses of land in airport vicinities contrary to public interest.—

(1) It is hereby found that an airport hazard endangers the lives and property of users of the airport and of occupants of land in its vicinity and also, if of the obstruction type, in effect reduces the size of the area available for the taking off, maneuvering, or landing of aircraft, thus tending to destroy or impair the utility of the airport and the public investment therein. It is further found that certain activities and uses of land in the immediate vicinity of airports as enumerated in s. 333.03(2) are not compatible with normal airport operations, and may, if not regulated, also endanger the lives of the participants, adversely affect their health, or otherwise limit the accomplishment of normal activities. Accordingly, it is hereby declared:

(a) That the creation or establishment of an airport hazard and the incompatible use of land in airport vicinities are public nuisances and injure the community served by the airport in question;

(b) That it is therefore necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards and incompatible land uses be prevented; and

(c) That this should be accomplished, to the extent legally possible, by the exercise of the police power, without
Section 8. This act shall take effect October 1, 2024.