

SB0161S01 compared with SB0161

~~deleted text~~ shows text that was in SB0161 but was deleted in SB0161S01.

inserted text shows text that was not in SB0161 but was inserted into SB0161S01.

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Senator Wayne A. Harper proposes the following substitute bill:

ADVANCED AIR MOBILITY REVISIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: _____

LONG TITLE

General Description:

This bill creates a study for the Department of Transportation regarding advanced air mobility.

Highlighted Provisions:

This bill:

- ▶ requires the Department of Transportation to study the following items related to advanced air mobility, including:
 - vertiport locations and infrastructure;
 - implementation strategies of advanced air mobility technologies;
 - unmanned traffic management infrastructure; and
 - the creation of an advanced air mobility sandbox;
- ▶ requires the Department of Transportation to provide a report to the Transportation

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Interim Committee; ~~and~~

- ▶ instructs the Department of Transportation to use existing departmental funds to cover the costs of the study ~~(.)~~; and
- ▶ amends provisions related to preemption of local land use authority pertaining to advanced air mobility.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

72-14-103, as last amended by Laws of Utah 2022, Chapter 99

ENACTS:

72-1-217, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **72-1-217** is enacted to read:

72-1-217. Department of Transportation study items.

(1) The department shall carry out transportation studies described in this section as resources allow.

(2) (a) The department shall study items related to advanced air mobility as described in this Subsection (2).

(b) The department shall study vertiport locations and infrastructure, including:

(i) identification of suitable locations for vertiport infrastructure and parking infrastructure for vertiports in metropolitan areas;

(ii) identification of commuter rail stations that may be suitable for vertiport placement; and

(iii) identification of underutilized parking lots and parking structures for vertiport infrastructure placement.

(c) The department shall study best practices and implementation of advanced air mobility technologies, including:

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(i) seeking input through community engagement;

(ii) state and local regulations;

(iii) unmanned aircraft system traffic management; and

(iv) weather reporting and monitoring for advanced air mobility safety.

(d) The department shall study unmanned aircraft traffic management infrastructure, including:

(i) unmanned aircraft system traffic management development, implementation, procedures, policies, and infrastructure; and

(ii) obtaining a full understanding of unmanned aircraft system traffic management, including:

(A) designation of airspace for advanced air mobility;

(B) creation of geographic categorical areas;

(C) identifying the appropriate number and location of advanced air mobility sensors;

and

(D) other state specific details regarding unmanned aircraft system traffic management.

(e) The department shall study the creation of an advanced air mobility sandbox, including:

(i) potential locations for the sandbox testing area and desirable attributes of a suitable sandbox location;

(ii) requirements to create a geographical advanced air mobility testing area and the parameters for the types of technology that may be utilized in the testing area; and

(iii) testing and studying different types of advanced air mobility transportation of manned and unmanned aerial vehicles, including:

(A) aerial vehicle size;

(B) aerial vehicles that carry cargo, including medical cargo;

(C) commercial aerial vehicles; and

(D) public transportation aerial vehicles.

(f) On or before September 30, 2023, the department shall provide a report to the Transportation Interim Committee of the department's findings from the study items described in Subsections (2)(b) through (2)(e).

(g) The department may only use existing funds to cover the expenses incurred from

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the study of items described in Subsections (2)(b) through (2)(e).

Section 2. Section 72-14-103 is amended to read:

72-14-103. Preemption of local ordinance.

(1) A political subdivision of the state, or an entity within a political subdivision of the state, may not enact a law, ordinance, or rule governing the private use of an unmanned aircraft or the private use of an advanced air mobility system, unless:

(a) authorized by this chapter; or

(b) the political subdivision or entity is an airport operator that enacts the law, rule, or ordinance to govern:

(i) the operation of an unmanned aircraft or an advanced air mobility system within the geographic boundaries of the airport over which the airport operator has authority; or

(ii) the takeoff or landing of an unmanned aircraft or an aircraft operated as part of an advanced air mobility system at the airport over which the airport operator has authority.

(2) A political subdivision:

(a) may not exercise zoning and land use authority to grant or permit an exclusive right to one or more vertiport owners or operators; and

(b) shall use such authority to promote reasonable access to advanced air mobility operators at public-use vertiports within the jurisdiction of the subdivision.

~~(2)~~ (3) This chapter supersedes any law, ordinance, or rule enacted by a political subdivision of the state before July 1, 2017.