

1 **Abandoned Aircraft Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Chris H. Wilson

House Sponsor:

3 **LONG TITLE**

4 **General Description:**

5 This bill amends provisions related to abandoned aircraft and requirements of notification
6 before an airport operator may take possession of the aircraft.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ amends the definition of "abandoned aircraft";
- 10 ▶ amends the notification requirements of an airport operator to notify the owner of an
11 abandoned aircraft before the airport operator may take possession of an abandoned
12 aircraft; and
- 13 ▶ makes technical changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **72-10-205.5**, as last amended by Laws of Utah 2024, Chapter 517

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

23 Section 1. Section **72-10-205.5** is amended to read:

24 **72-10-205.5 . Abandoned aircraft on airport property -- Seizure and disposal.**

25 (1)[(†)] As used in this section, "abandoned aircraft" means an aircraft that:

- 26 [(†)] (a)(i) remains in an idle state on airport property for 45 consecutive calendar days;
- 27 (ii) is in a wrecked, inoperative, derelict, or partially dismantled condition; and
- 28 (iii) is not in the process of actively being repaired[-] ;
- 29 (b)(i) is not subject to a lease agreement with the airport operator;

30 (ii) has remained on airport property for 180 days without being operated by the

- 31 aircraft's owner; and
 32 (iii) has accrued unpaid airport charges during that period; or
 33 (c)(i) is subject to an agreement with the airport operator to lease space on airport
 34 property;
 35 (ii) for which the owner has been notified of the termination of the lease agreement;
 36 and
 37 (iii) which has remained on airport property for 120 days after being notified of the
 38 termination of the lease agreement.

39 ~~[(b) "Abandoned aircraft" does not include an aircraft:]~~

40 ~~[(i)(A) that has current FAA registration; and]~~

41 ~~[(B) that has current state registration; or]~~

42 ~~[(ii) for which evidence is shown indicating repairs are in process, including:]~~

43 ~~[(A) receipts for parts and labor; or]~~

44 ~~[(B) a statement from a mechanic making the repairs.]~~

45 (2) An airport operator may take possession and dispose of an abandoned aircraft in
 46 accordance with Subsections (3) through (5).

47 (3)(a) Upon determining that an aircraft located on airport property is abandoned, the
 48 airport operator shall notify the aircraft owner as provided in Subsection (3)(b) or
 49 (3)(c).

50 (b)(i) If the abandoned aircraft owner and the aircraft owner's address are known, the
 51 airport operator shall send, by registered mail, a notice containing the information
 52 described in Subsection (4) to the last known address of the last registered owner
 53 of the aircraft.

54 (ii) If the mailed notice described in Subsection (3)(b)(i) is returned to the airport
 55 operator without a forwarding address, the airport operator shall publish a notice
 56 as a class A notice under Section 63G-30-102, which shall contain the information
 57 described in Subsection (4).

58 (c) If the abandoned aircraft owner or the aircraft owner address is unknown, the airport
 59 operator shall publish a notice as a class A notice under Section 63G-30-102, which
 60 shall contain the information described in Subsection (4).

61 ~~[(3) Upon determining that an aircraft located on airport property is abandoned, the airport~~
 62 ~~operator shall:]~~

63 ~~[(a) send, by registered mail, a notice containing the information described in Subsection~~
 64 ~~(4) to the last known address of the last registered owner of the aircraft; and]~~

65 ~~[(b) publish a notice containing the information described in Subsection (4) in a~~
 66 ~~newspaper of general circulation in the county where the airport is located if:]~~
 67 ~~[(i) the owner or the address of the owner of the aircraft is unknown; or]~~
 68 ~~[(ii) the mailed notice is returned to the airport operator without a forwarding address.]~~

69 (4) The notice ~~[described]~~ required in Subsection (3) shall include:

- 70 (a) the name, if known, and the last known address, if any, of the last registered owner
 71 of the aircraft;
- 72 (b) a description of the aircraft, including the identification number, the aircraft make
 73 and model, the location of the aircraft, and the date the aircraft is determined
 74 abandoned;
- 75 (c) a statement describing the specific grounds for the determination that the aircraft is
 76 abandoned;
- 77 (d) the amount of any accrued or unpaid airport charges; and
- 78 (e) a statement indicating that the airport operator intends to take possession and dispose
 79 of the aircraft if the owner of the aircraft fails to remove the aircraft from airport
 80 property, after payment in full of any charges described in Subsection (4)(d), within
 81 the later of:
- 82 (i) 30 days after the day on which the notice is sent in accordance with Subsection [
 83 ~~(3)(a)~~] (3)(b); or
- 84 (ii) 30 days after the day on which the notice is published in accordance with
 85 Subsection [~~(3)(b)~~] (3)(c), if applicable.

86 (5) If the owner of the abandoned aircraft fails to remove the aircraft from airport property,
 87 after payment in full of any charges described in Subsection (4)(d), within the time
 88 specified in Subsection (4)(e):

- 89 (a) the abandoned aircraft becomes the property of the airport operator; and
- 90 (b) the airport operator may dispose of the abandoned aircraft:
- 91 (i) in the manner provided in Title 63A, Chapter 2, Part 4, Surplus Property Service;
 92 or
- 93 (ii) in accordance with any other lawful method or procedure established by rule or
 94 ordinance adopted by the airport operator.

95 (6) If an airport operator complies with the provisions of this section, the airport operator is
 96 immune from liability for the seizure and disposal of an abandoned aircraft in
 97 accordance with this section.

98 Section 2. **Effective Date.**

99 This bill takes effect on May 7, 2025.