

Abandoned Aircraft Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Chris H. Wilson

House Sponsor: Casey Snider

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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

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

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

- [(†)] (a)(i) remains in an idle state on airport property for 45 consecutive calendar days;
- (ii) is in a wrecked, inoperative, derelict, or partially dismantled condition; [and]
- (iii) is not in the process of an insurance claim or inspection by the National

- 29 Transportation Safety Board; and
- 30 [(iii)] (iv) is not in the process of actively being repaired[-] ;
- 31 (b)(i) is not subject to a lease or other storage agreement with the airport operator;
- 32 (ii) has remained on airport property for 180 days without being operated; and
- 33 (iii) has accrued unpaid airport charges during that period; or
- 34 (c)(i) is subject to an agreement with the airport operator to lease space on airport
- 35 property;
- 36 (ii) for which the owner has been notified of the termination of the lease agreement;
- 37 and
- 38 (iii) which has remained on airport property for 120 days after being notified of the
- 39 termination of the lease agreement.
- 40 ~~[(b) "Abandoned aircraft" does not include an aircraft:]~~
- 41 ~~[(i)(A) that has current FAA registration; and]~~
- 42 ~~[(B) that has current state registration; or]~~
- 43 ~~[(ii) for which evidence is shown indicating repairs are in process, including:]~~
- 44 ~~[(A) receipts for parts and labor; or]~~
- 45 ~~[(B) a statement from a mechanic making the repairs.]~~
- 46 (2) An airport operator may take possession and dispose of an abandoned aircraft in
- 47 accordance with Subsections (3) through (5).
- 48 (3)(a) Upon determining that an aircraft located on airport property is abandoned, the
- 49 airport operator shall notify the aircraft owner as provided in Subsection (3)(b) or
- 50 (3)(c).
- 51 (b)(i) If the abandoned aircraft owner and the aircraft owner's address are known, the
- 52 airport operator shall send, by registered mail, a notice containing the information
- 53 described in Subsection (4) to the last known address of the last registered owner
- 54 of the aircraft.
- 55 (ii) If the mailed notice described in Subsection (3)(b)(i) is returned to the airport
- 56 operator without a forwarding address, the airport operator shall publish a notice
- 57 as a class A notice under Section 63G-30-102, which shall contain the information
- 58 described in Subsection (4).
- 59 (c) If the abandoned aircraft owner or the aircraft owner address is unknown, the airport
- 60 operator shall publish a notice as a class A notice under Section 63G-30-102, which
- 61 shall contain the information described in Subsection (4).
- 62 [(3) Upon determining that an aircraft located on airport property is abandoned, the airport

operator shall:]

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

[(b) publish a notice containing the information described in Subsection (4) in a newspaper of general circulation in the county where the airport is located if:]

[(i) the owner or the address of the owner of the aircraft is unknown; or]

[(ii) the mailed notice is returned to the airport operator without a forwarding address.]

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

(a) the name, if known, and the last known address, if any, of the last registered owner of the aircraft;

(b) a description of the aircraft, including the identification number, the aircraft make and model, the location of the aircraft, and the date the aircraft is determined abandoned;

(c) a statement describing the specific grounds for the determination that the aircraft is abandoned;

(d) the amount of any accrued or unpaid airport charges; and

(e) a statement indicating that the airport operator intends to take possession and dispose of the aircraft if the owner of the aircraft fails to remove the aircraft from airport property, after payment in full of any charges described in Subsection (4)(d), within the later of:

(i) 30 days after the day on which the notice is sent in accordance with Subsection [(3)(a)] (3)(b); or

(ii) 30 days after the day on which the notice is published in accordance with Subsection [(3)(b)] (3)(c), if applicable.

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

(a) the abandoned aircraft becomes the property of the airport operator; and

(b) the airport operator may dispose of the abandoned aircraft:

(i) in the manner provided in Title 63A, Chapter 2, Part 4, Surplus Property Service; or

(ii) in accordance with any other lawful method or procedure established by rule or ordinance adopted by the airport operator.

(6) If an airport operator complies with the provisions of this section, the airport operator is

97 immune from liability for the seizure and disposal of an abandoned aircraft in
98 accordance with this section.

99 Section 2. **Effective Date.**

100 This bill takes effect on May 7, 2025.