

1

Airport and Air Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor:

2

LONG TITLE

3

General Description:

4

This bill amends law relating to airports and drones.

5

Highlighted Provisions:

6

This bill:

7

- ▶ defines terms;
- ▶ amends provisions regarding a license required to operate an airport;
- ▶ modifies requirements for how an airport handles lost property;
- ▶ amends a restriction on how law enforcement can use a drone; and
- ▶ makes technical changes.

8

Money Appropriated in this Bill:

9

None

10

Other Special Clauses:

11

None

12

Utah Code Sections Affected:

13

AMENDS:

14

72-10-102, as last amended by Laws of Utah 2025, Chapters 423, 515

15

72-10-109, as last amended by Laws of Utah 2025, Chapters 423, 452

16

72-10-110, as last amended by Laws of Utah 2024, Chapter 483

17

72-10-110.5, as enacted by Laws of Utah 2018, Chapter 436

18

72-10-118, as last amended by Laws of Utah 2019, Chapter 431

19

72-10-202, as last amended by Laws of Utah 2019, Chapter 431

20

72-10-203, as last amended by Laws of Utah 2019, Chapter 431

21

72-10-301, as renumbered and amended by Laws of Utah 1998, Chapter 270

22

72-10-401, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

23

72-10-802, as renumbered and amended by Laws of Utah 2023, Chapter 216

24

77-11d-102, as renumbered and amended by Laws of Utah 2023, Chapter 448

25

ENACTS:

S.B. 172

31 **72-10-216**, Utah Code Annotated 195332

*Be it enacted by the Legislature of the state of Utah:*33 Section 1. Section **72-10-102** is amended to read:34 **72-10-102 . Definitions.**

35 As used in this chapter:

36 (1) "Acrobatics" means the intentional maneuvers of an aircraft not necessary to air
37 navigation.38 (2)(a) "Advanced air mobility system" means a system that transports individuals and
39 property using piloted and unpiloted aircraft, including electric aircraft and electric
40 vertical takeoff and landing aircraft, in controlled or uncontrolled airspace.41 (b) "Advanced air mobility system" includes each component of a system described in
42 Subsection (2)(a), including:43 (i) the aircraft, including payload;
44 (ii) communications equipment;
45 (iii) navigation equipment;
46 (iv) controllers;
47 (v) support equipment;
48 (vi) an authoritative supplemental data service provider;
49 (vii) flight information exchange; and
50 (viii) remote and autonomous functions.51 (3) "Aerial transit corridor" means an airspace volume defining a three-dimensional route
52 segment with performance requirements to operate within or to cross where tactical air
53 traffic control separation services are not provided.54 (4) "Aeronautics" means transportation by aircraft, air instruction, the operation, repair, or
55 maintenance of aircraft, and the design, operation, repair, or maintenance of airports, or
56 other air navigation facilities.57 (5) "Aeronautics instructor" means [any] an individual engaged in giving or offering to give
58 instruction in aeronautics, flying, or ground subjects, either with or without:59 (a) compensation or other reward;
60 (b) advertising the occupation;
61 (c) calling the instructor's facilities an air school, or [any] an equivalent term; or
62 (d) employing or using other instructors.63 (6) "Aircraft" means [any] a contrivance now known or in the future invented, used, or

65 designed for navigation of or flight in the air.

66 (7) "Air instruction" means the imparting of aeronautical information by [any] an aviation
67 instructor or in [any] an air school or flying club.

68 (8)(a) "Airport" means [any] an area of land[, water, or both,] or water that:

69 [(a)] (i) is used or is made available for landing and takeoff of aircraft; and

70 [(b) ~~provides facilities for the shelter, supply, and repair of aircraft, and handling of~~
71 ~~passengers and cargo;~~]

72 [(e) ~~meets the minimum requirements established by the department as to size and~~
73 ~~design, surface, marking, equipment, and operation; and~~]

74 [(d) ~~includes all areas shown as part of the airport in the current airport layout plan as~~
75 ~~approved by the Federal Aviation Administration.]~~

76 (ii) is open or available for public use.

77 (b) "Airport" includes:

78 (i) appurtenant areas used for buildings, right of way, or other facilities used to
79 support the airport; and

80 (ii) a vertiport if the vertiport is open or available for public use.

81 (9) "Airport authority" means a political subdivision of the state, other than a county or
82 municipality, that is authorized by statute to operate an airport.

83 (10) "Airport operator" means a municipality, county, or airport authority that owns or
84 operates a commercial airport.

85 (11)(a) "Airport revenue" means all fees, charges, rents, or other payments received by
86 or accruing to an airport operator for any of the following reasons:

87 (i) revenue from air carriers, tenants, lessees, purchasers of airport properties, airport
88 permittees making use of airport property and services, and other parties;

89 (ii) revenue received from the activities of others or the transfer of rights to others
90 relating to the airport, including revenue received:

91 (A) for the right to conduct an activity on the airport or to use or occupy airport
92 property;

93 (B) for the sale, transfer, or disposition of airport real or personal property, or [any]
94 an interest in that property, including transfer through a condemnation
95 proceeding;

96 (C) for the sale of, or the sale or lease of rights in, mineral, natural, or agricultural
97 products or water owned by the airport operator to be taken from the airport;
98 and

99 (D) for the right to conduct an activity on, or for the use or disposition of, real or
100 personal property or [any] an interest in real or personal property owned or
101 controlled by the airport operator and used for an airport-related purpose but
102 not located on the airport; or

103 (iii) revenue received from activities conducted by the airport operator whether on or
104 off the airport, which is directly connected to the airport operator's ownership or
105 operation of the airport.

106 (b) "Airport revenue" includes state and local taxes on aviation fuel.

107 (c) "Airport revenue" does not include amounts received by an airport operator as
108 passenger facility fees [pursuant to] in accordance with 49 U.S.C. Sec. 40117.

109 (12) "Air school" means [any] a person engaged in giving, offering to give, [or]
110 advertising, representing, or a person holding itself out as giving, with or without
111 compensation or other reward, instruction in aeronautics, flying, or ground subjects, or
112 in more than one of these subjects.

113 (13) "Airworthiness" means conformity with requirements prescribed by the Federal
114 Aviation Administration regarding the structure or functioning of aircraft, engine, parts,
115 or accessories.

116 (14) "Authoritative supplemental data service provider" means a third party provider of
117 unmanned aircraft system traffic management services that is approved by the
118 department and supplies specialized data to an unmanned aircraft system service
119 supplier or to an unmanned aircraft system operator for a variety of uses.

120 (15) "Civil aircraft" means [any] an aircraft other than a public aircraft.

121 (16) "Commercial aircraft" means aircraft used for commercial purposes.

122 (17) "Commercial airport" means a landing area, landing strip, or airport that may be used
123 for commercial operations.

124 (18) "Commercial flight operator" means a person who conducts commercial operations.

125 (19) "Commercial operations" means:

126 (a) [any operations] the operation of an aircraft for compensation or hire or [any]
127 services performed incidental to the operation of [any] an aircraft for which a fee is
128 charged or compensation is received, including the servicing, maintaining, and
129 repairing of aircraft, the rental or charter of aircraft, the operation of flight or ground
130 schools, the operation of aircraft for the application or distribution of chemicals or
131 other substances, and the operation of aircraft for hunting and fishing; or

132 (b) the brokering or selling of any of these services; but

133 (c) does not include any operations of aircraft as common carriers certificated by the
134 federal government or the services incidental to those operations.

135 (20) "Correctional facility" means the same as that term is defined in Section 77-16b-102.

136 (21) "Dealer" means [any] a person who is actively engaged in the business of flying for
137 demonstration purposes, or selling or exchanging aircraft, and who has an established
138 place of business.

139 (22) "Experimental aircraft" means:

140 (a) [any] an aircraft designated by the Federal Aviation Administration or the military as
141 experimental and used solely for the purpose of experiments, or tests regarding the
142 structure or functioning of aircraft, engines, or their accessories; and

143 (b) [any] an aircraft designated by the Federal Aviation Administration as:

144 (i) being custom or amateur built; and

145 (ii) used for recreational, educational, or display purposes.

146 (23) "Flight" means [any] a kind of locomotion by aircraft while in the air.

147 (24) "Flight information exchange" means a model or system that allows for the consistent
148 exchange of flying data between an unmanned aircraft system traffic management
149 system and an unmanned aircraft system operator or aircraft to facilitate the coordination
150 of flights.

151 (25) "Flying club" means five or more persons who for neither profit nor reward own, lease,
152 or use one or more aircraft for the purpose of instruction, pleasure, or both.

153 (26) "Glider" means an aircraft heavier than air, similar to an airplane, but without a power
154 plant.

155 (27) "Mechanic" means a person who constructs, repairs, adjusts, inspects, or overhauls
156 aircraft, engines, or accessories.

157 (28) "Navigable airspace" means the same as that term is defined in 49 U.S.C. Sec. 40102.

158 (29) "Parachute jumper" means [any person] an individual who has passed the required test
159 for jumping with a parachute from an aircraft, and has passed an examination showing
160 that the jumper possesses the required physical and mental qualifications for the jumping.

161 (30) "Parachute rigger" means any person who has passed the required test for packing,
162 repairing, and maintaining parachutes.

163 (31) "Passenger aircraft" means aircraft used for transporting persons, in addition to the
164 pilot or crew, with or without their necessary personal belongings.

165 (32) "Person" means [any] an individual, corporation, limited liability company, or
166 association of individuals.

167 (33) "Pilot" means [any] a person who operates the controls of an aircraft while in-flight.

168 (34) "Primary glider" means [any] a glider that has a gliding angle of less than 10 to one.

169 (35) "Private airport" means an airport that is not open or available for public use.

170 (36) "Public aircraft" means an aircraft used exclusively in the service of [any] a

171 government or of [any] a political subdivision, including the government of the United

172 States, of the District of Columbia, and of [any] a state, territory, or insular possession of

173 the United States, but not including [any] a government-owned aircraft engaged in

174 carrying persons or goods for commercial purposes.

175 (37) "Reckless flying" means the operation or piloting of [any] an aircraft recklessly, or in a

176 manner as to endanger the property, life, or body of [any] a person, due regard being

177 given to the prevailing weather conditions, field conditions, and to the territory being

178 flown over.

179 (38) "Registration number" means the number assigned by the Federal Aviation

180 Administration to [any] an aircraft, whether[-or not] the number includes a letter or

181 letters.

182 (39) "Roadable aircraft" means an aircraft capable of taking off and landing from a suitable

183 airfield and is also designed to be driven on a highway as a conveyance.

184 (40) "Secondary glider" means [any] a glider that has a gliding angle between 10 to one and

185 16 to one, inclusive.

186 (41) "Significant private airport" means a private airport that is designated by the

187 department as a significant private airport as described in Section 72-10-416.

188 (42) "Soaring glider" means any glider that has a gliding angle of more than 16 to one.

189 (43) "Unmanned aircraft system service supplier" means a service supplier that:

190 (a) relays flight information between an unmanned aircraft system operator and a flight

191 management system; and

192 (b) provides information that supports unmanned aircraft system operations and assists

193 with strategic deconfliction by an unmanned aircraft system traffic management

194 system.

195 (44) "Unmanned aircraft" means an aircraft that is:

196 (a) capable of sustaining flight; and

197 (b) operated with no possible direct human intervention from on or within the aircraft.

198 (45) "Unmanned aircraft system" means the entire system used to operate an unmanned

199 aircraft, including:

200 (a) the unmanned aircraft, including payload;

- 201 (b) communications equipment;
- 202 (c) navigation equipment;
- 203 (d) controllers;
- 204 (e) support equipment; and
- 205 (f) autopilot functionality.

206 (46) "Unmanned aircraft system traffic management" means a traffic management
207 ecosystem for uncontrolled operations, including unmanned aircraft systems, that is
208 separate from, but complementary to, the Federal Aviation Administration's air traffic
209 management system.

210 (47) "Vertiport" means an area of land, or a structure, used or intended to be used for
211 electric, hydrogen, and hybrid vertical aircraft landings and takeoffs, including
212 associated buildings and facilities.

213 Section 2. Section **72-10-109** is amended to read:

72-10-109 . Certificate of registration of aircraft required -- Exceptions.

214 (1) Except as provided in [Subseetion (2)] Subsections (2) and (3), a person may not
215 operate, pilot, or navigate, or cause or authorize to be operated, piloted, or navigated
216 within this state [any] a civil aircraft based in this state for [181] 90 or more days within [
217 any] a consecutive 12-month period unless the aircraft has a current certificate of
218 registration issued by the department.

219 (2) The state registration requirement [under] described in Subsection (1) does not apply to:
220 (a) aircraft licensed by a foreign country with which the United States has a reciprocal
221 agreement covering the operations of the registered aircraft; or
222 (b) a non-passenger-carrying flight solely for inspection or test purposes authorized by
223 the Federal Aviation Administration to be made without the certificate of registration[;
224 or].

225 [(e) aircraft operating under 14 C.F.R. Part 121, with a maximum takeoff weight
226 exceeding 35,000 pounds.]

227 (3) An aircraft that is owned and operated by an operator licensed under 14 C.F.R. Part 135
228 headquartered in the state is subject to the registration requirements of this section
229 regardless of how long the aircraft is based in this state.

230 (4) Beginning on January 1, 2025, a person may not operate in this state an unmanned
231 aircraft system or an advanced air mobility aircraft for commercial operation for which
232 certification is required under federal rule unless the aircraft has a current certificate of
233 registration issued by the department.

235 [4] (5) The department shall, on or before December 31 of [each] a calendar year, provide
236 to the State Tax Commission a list of [each] the aircraft for which a current certificate of
237 registration is issued by the department under Subsection (1).

238 Section 3. Section **72-10-110** is amended to read:

239 **72-10-110 . Aircraft registration information requirements -- Registration fee --**

240 **Administration -- Partial year registration.**

241 (1) All applications for aircraft registration shall contain:

242 (a) a description of the aircraft, including:

243 (i) the manufacturer or builder;

244 (ii) the Federal Aviation Administration aircraft registration number, type, year of
245 manufacture, or if an experimental aircraft, the year the aircraft was completed
246 and certified for [air worthiness] airworthiness by an inspector of the Federal
247 Aviation Administration; and

248 (iii) gross weight;

249 (b) the name and address of the owner of the aircraft; and

250 (c) where the aircraft is located, or the address where the aircraft is usually used or based.

251 (2)(a) Except as provided in Subsection (3) or (4), at the time application is made for
252 registration or renewal of registration of an aircraft under this chapter, an annual
253 registration fee of:

254 (i) 0.4% of the average wholesale value of the aircraft shall be paid; or

255 (ii) for a roadable aircraft, 0.2% of the average wholesale value of the roadable
256 aircraft shall be paid.

257 (b) For purposes of calculating the average wholesale value of an aircraft under
258 Subsection (2)(a) or (3)(d), the department shall use the average wholesale value as
259 stated in the Aircraft Bluebook Price Digest.

260 (c) For an aircraft not listed in the Aircraft Bluebook Price Digest, the department shall
261 calculate the average wholesale value of the aircraft using common industry
262 standards.

263 (d)(i) An owner of an aircraft may challenge the department's calculation of the
264 average wholesale value of the aircraft.

265 (ii) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
266 Administrative Rulemaking Act, to establish a process for challenging the
267 department's calculation under Subsection (2)(d)(i).

268 (3)(a) An annual registration fee of \$100 is imposed on an aircraft that is used:

269 (i) exclusively by an entity that is exempt from federal income taxation under Section
270 501(c)(3), Internal Revenue Code, and exempt from property taxation under Title
271 59, Chapter 2, Property Tax Act; and
272 (ii) for the emergency transportation of medical patients for at least 95% of [its] the
273 aircraft's flight time.

274 (b) An annual registration fee is imposed on an aircraft 60 years or older equal to the
275 lesser of:
276 (i) \$100; or
277 (ii) the annual registration fee [provided for under] described in Subsection (2)(a).

278 (c)(i) Except as provided in Subsection (3)(c)(iii), an owner of an aircraft shall apply
279 for a certificate of registration described in Section 72-10-109, if the aircraft:
280 (A) is in the manufacture, construction, fabrication, assembly, or repair process;
281 (B) is not complete; and
282 (C) does not have a valid airworthiness certificate.
283 (ii) An aircraft described in Subsection (3)(c)(i) is exempt from the annual
284 registration fee described in Subsection (2)(a).
285 (iii) The registration requirement described in Subsection (3)(c)(i) does not apply to
286 an aircraft that, in accordance with Section 59-12-104, is exempt from the taxes
287 imposed under Title 59, Chapter 12, Sales and Use Tax Act.

288 (d) An annual registration fee of .25% of the average wholesale value of the aircraft is
289 imposed on an aircraft if the aircraft is:
290 (i) used by an air charter service for air charter; and
291 (ii) owned by a person other than the air charter service.
292 (e) The annual registration fee required in this section is due on December 31 of each
293 year.

294 (4)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
295 the department shall make rules to establish and administer a registration fee for an
296 unmanned aircraft system or an advanced air mobility system registered [pursuant to]
297 in accordance with Subsection 72-10-109(3).
298 (b) The rules made [pursuant to] in accordance with Subsection (4)(a) regarding
299 registration and applicable fees for an unmanned aircraft system or an advanced air
300 mobility system may include:
301 (i) a system for classifying unmanned aircraft systems or an advanced air mobility
302 systems;

303 (ii) technical guidance for complying with state and federal law;
304 (iii) criteria under which the department may suspend or revoke registration;
305 (iv) criteria under which the department may waive registration requirements for an
306 applicant [currently holding] who holds a valid license or permit to operate
307 unmanned aircraft systems issued by another state or territory of the United States,
308 the District of Columbia, or the United States; and
309 (v) other rules regarding operation as determined by the department.

310 (c)(i) Registration fees for an unmanned aircraft system shall be deposited into the [
311 ~~aeronautics restricted account~~] Aeronautics Restricted Account created in Section
312 72-2-126.
313 (ii) The registration fee imposed under Subsection (2)(a)(ii) for a roadable aircraft
314 shall be deposited in the aeronautics restricted account created in Section 72-2-126.

315 (5)(a) The department shall provide a registration card to an owner of an aircraft if:
316 (i) the owner complies with the registration requirements of this section; and
317 (ii) the owner of the aircraft states that the aircraft has a valid airworthiness certificate.

318 (b) An owner of an aircraft shall carry the registration card in the registered aircraft.

319 (6) ~~[The registration fees assessed under this chapter shall be collected by the department to~~
320 ~~be distributed]~~ The department shall collect registration fees assessed under this chapter
321 and distribute the fees as provided in Subsection (7).

322 (7) After deducting the costs of administering all aircraft registrations under this chapter,
323 the department shall deposit all remaining aircraft registration fees into the Aeronautics
324 Restricted Account created by Section 72-2-126.

325 (8) Aircraft which are initially registered under this chapter for less than a full calendar year
326 shall be charged a registration fee which is reduced in proportion to the fraction of the
327 calendar year during which the aircraft is registered in this state.

328 (9)(a) For purposes of this section, an aircraft based at the owner's airport means an
329 aircraft that is hangared, tied down, or parked at an owner's airport for [a plurality of
330 the year.] 90 or more days within any consecutive 12-month period.

331 (b) Semi-annually, an owner or operator of an airport open to public use, or of an airport
332 that receives grant funding from the state, shall provide a list of all aircraft based at
333 the owner's airport to the department.

334 (10) The department shall maintain a statewide database of all aircraft based within the state.

335 (11) The department may suspend or revoke a registration if the department determines that
336 the required fee has not been paid and the fee is not paid upon reasonable notice and

337 demand.

338 Section 4. Section **72-10-110.5** is amended to read:

339 **72-10-110.5 . Uniform fee on aircraft -- Collection of fee by department --**

340 **Distribution of fees.**

341 (1) In accordance with Utah Constitution, Article XIII, Section 2, Subsection (6), beginning
342 on January 1, 2009, an aircraft required to be registered with the state is:

343 (a) exempt from the tax imposed by Section 59-2-103; and

344 (b) in lieu of the tax imposed by Section 59-2-103, subject to a uniform statewide fee of
345 \$25, assessed in accordance with Section 59-2-407.

346 (2)(a) The department shall collect the uniform fee and distribute the uniform fee to the
347 county in which the aircraft is based.

348 (b) A based aircraft is an aircraft that is hangared, tied down, parked, or domiciled in the
349 state for [a plurality of the year.] 90 or more days within a consecutive 12-month
350 period.

351 (3)(a) ~~[The uniform fees received by a county under Subsection (2) shall be distributed]~~
352 A county shall distribute fees received as described in Subsection (2) to [each] a
353 taxing entity within the county in the same proportion in which revenues collected
354 from the ad valorem property tax are distributed.

355 (b) ~~[Each]~~ A taxing entity described in Subsection (3)(a) that receives revenues from the
356 uniform fee imposed by this section shall distribute the revenues in the same
357 proportion in which revenues collected from the ad valorem property tax are
358 distributed.

359 (4) The remedies for nonpayment of the uniform fee described in this section are as
360 described in Section 59-2-407.

361 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
362 department may make rules to implement this section.

363 Section 5. Section **72-10-118** is amended to read:

364 **72-10-118 . Reason for department order to be stated -- Closing airports -- Notice**
365 **-- Right of inspection.**

366 (1) Before establishing and operating an airport that is open or available for public use in
367 this state, an airport shall obtain a license issued and authorized by the department.

368 [¶] (2) If the department rejects an application for [permission to operate or establish an
369 airport] a license described under Subsection (1), or issues [any] an order under this
370 chapter that requires or prohibits certain actions, [its order] the department shall state:

371 (a) [e0ntain-]the reasons for the rejection or order; and
372 (b) [state-]the requirements to be met before approval will be given or the order changed.

373 [(2)] (3) The department may order the closing of [any-] an airport until [its-] the department's
374 requirements have been fulfilled.

375 [(3)] (4)(a) An airport not meeting the standards required by the department shall:

376 (i) be given notice of [its-] the airport's noncompliance; and
377 (ii) have 10 days from the receipt of that notice to respond to the department with a
378 plan and schedule for compliance.

379 (b) If the airport fails to respond within the required time, the department may revoke
380 the airport license and close the airport.

381 [(4)] (5) The department and [any-] a state, county, or municipal officer charged with the
382 duty of enforcing this chapter may inspect and examine at reasonable hours [any
383 ~~premises, buildings, or other structures~~] a premise, building, or other structure where
384 regulated airports are operated.

385 Section 6. Section **72-10-202** is amended to read:

72-10-202 . Cooperation with counties, municipalities, and federal government --

Expenditures by department.

388 [(1)] The department may:

389 [(a)] (1) cooperate with counties and municipalities in developing and constructing airports;
390 [(b)] (2) make agreements on behalf of the state with [any-] a county or municipality
391 regarding the financial participation, construction, and operation of [any airports] an
392 airport;
393 [(c)] (3) cooperate with the federal government in establishing airports; and
394 [(d)] (4) accept from the United States of America, money to be matched with the funds of
395 the state and funds appropriated by [any-] a county or municipality in developing and
396 constructing airports under the Uniform Airports Act.

397 [(2)] The department may expend not to exceed 10% of its annual appropriation from the
398 Aeronautics Restricted Account upon any one project under this chapter.]

399 Section 7. Section **72-10-203** is amended to read:

**72-10-203 . Department and counties, municipalities, and airport authorities
401 authorized to acquire and regulate airports.**

402 (1) The department and municipalities, counties, and airport authorities may acquire,
403 establish, construct, expand, own, lease, control, equip, improve, maintain, operate,
404 regulate, and police airports for the use of aircraft and may use for these purposes [any-]

405 an available property that is owned or controlled by the department or by a municipality,
406 county, or airport authority.

407 (2) A county may not exercise the authority conferred in this section outside of [its] the
408 county's geographical limits except [-]jointly with an adjoining county.

409 (3) Before establishing and operating an airport that is open for public use in this state, an
410 entity shall obtain a license issued and authorized by the department as described in
411 Section 72-10-118.

412 Section 8. Section **72-10-216** is enacted to read:

413 **72-10-216 . Lost or mislaid property -- Airports.**

414 (1) As used in this section:

415 (a) "Interest holder" means the same as that term is defined in Section 77-11a-101.

416 (b)(i) "Lost or mislaid property" means personal property that comes into the
417 possession of an airport operator by an airport operator's employee or law
418 enforcement officer on duty at an airport:

419 (A) that is not claimed by the identified owner of the property before the airport
420 operator receiving the property; or

421 (B) for which no owner or interest holder claims the property after the airport
422 operator has given a reasonable opportunity for the property owner to claim the
423 property.

424 (ii) "Lost or mislaid property" includes money.

425 (iii) "Lost or mislaid property" does not include:

426 (A) property that contains or is a firearm or other dangerous weapon;

427 (B) property or contraband seized by law enforcement as part of a criminal
428 investigation or proceeding;

429 (C) hazardous waste or materials;

430 (D) property that is unsanitary or otherwise a threat to the health and safety of an
431 airport operator's personnel;

432 (E) an abandoned vehicle as described in Section 41-6a-1408; or

433 (F) property abandoned on a commercial airline, unless the airline and airport
434 operator have a written agreement that allows the airport operator to accept and
435 hold the property.

436 (c) "Money" means coins or currency of the United States or of another country,
437 travelers checks, personal checks, bank checks, money orders, and investment
438 securities or negotiable instruments in bearer form or in another form so that title

passes upon delivery.

(d) "Owner" means an individual or entity, other than an interest holder, who possesses a legal or equitable interest in lost or mislaid property that has been left at an airport.

(e) "Public interest use" means the same as that term is defined in Section 77-11d-101. This section applies only to an airport and an airport operator that is required by the Federal Aviation Administration by 49 C.F.R. Part 1542 to provide law enforcement personnel at the airport as part of a security program as described in 49 C.F.R. Section 1544.101.

An airport operator that receives lost or mislaid property shall make reasonable efforts to locate the property's owner, including posting information about the lost or mislaid property on the airport's website.

(a) If an airport operator's reasonable efforts to locate and notify an owner of lost or mislaid property are unsuccessful or the owner has been located and notified but fails to claim the property in the time specified in Subsection (4)(b), the airport operator may dispose of the property in accordance with the provisions of this Subsection (4).

(b) If the airport operator cannot determine the owner of lost or mislaid property or the airport operator cannot directly notify the owner within 30 days after the day on which the airport operator receives the property, or if the airport operator notifies the owner of the property but the owner fails to appear and claim the property 30 days after the day on which the owner is notified of the airport operator's receipt of the property, the airport operator shall publish notice of the intent to dispose of the property on the:

(i) state's public legal notice website as described in Section 45-1-101; and

(ii) airport's website.

(c) The notices described in Subsections (4)(b)(i) and (ii) shall:

(i) give a general description of the property; and

(ii) provide the date of intended disposition.

(d) The airport operator may not dispose of the lost or mislaid property until at least eight days after the day on which notice is published.

(e) If no claim is made for the lost or mislaid property within nine days of publication of the notice, the airport operator may dispose of the property as provided by local ordinance adopted by the political subdivision in which the airport is located.

(f) An ordinance described in Subsection (4)(e) may allow the airport operator to:

(i) sell the property at public auction or through a third-party seller and apply the

473 proceeds to a lawful purpose;

474 (ii) donate the property to a public interest use;

475 (iii) destroy the property if the property is unfit for public interest use or sale; or

476 (iv) if the property is money, apply the money to a lawful purpose.

477 (g) If the lost or mislaid property is money, an individual claiming the property may
478 only recover the money if the individual can accurately identify:

479 (i) the general location where the money was likely lost or mislaid;

480 (ii) the circumstances under which the individual believes the money was separated
481 from the individual; and

482 (iii) the amount of money lost or mislaid.

483 (h) If the lost or mislaid property is to be disposed and the property contains money, the
484 airport operator may separate the money from the other property for purposes of
485 disposition.

486 (i) A government employee may not claim or receive lost or mislaid property found in
487 the course and scope of the employee's duties at the airport unless the employee is the
488 rightful owner of the property.

489 (5)(a) An airport operator receiving lost or mislaid property shall maintain records
490 documenting all lost or mislaid property received by the airport operator, including
491 information about the disposition of each item.

492 (b) An airport operator shall retain records created and maintained under Subsection
493 (5)(a) consistent with the retention schedule described in Section 63G-2-604.

494 Section 9. Section **72-10-301** is amended to read:

495 **72-10-301 . Definitions.**

496 As used in this part:

497 [(1) "Airport" means any area of land or water which is used, or intended for use for the
498 landing and taking-off of aircraft, and any appurtenant areas which are used, or intended
499 for use, for aircraft buildings or other airport facilities or rights of way, together with all
500 airport buildings and facilities located on them.]

501 [(2)] (1) "Air navigation facility" means [any] a facility, [--]other than one owned and
502 operated by the United States, [--]used in, available for use in, or designed for use in aid
503 of air navigation, including [any] structures, mechanisms, lights, beacons, markers,
504 communicating systems, or other instrumentalities, or devices used or useful as an aid,
505 or constituting an advantage or convenience, to the safe taking-off, navigation, and
506 landing of aircraft, or the safe and efficient operation or maintenance of an airport, and

507 any combination of [any or all of] the facilities.

508 [③] (2) "Airport hazard" means [any] a structure, object of natural growth, or use of land
509 which obstructs the air space required for the flight of aircraft in landing or taking-off at
510 an airport or is otherwise hazardous to the landing or taking-off of aircraft.

511 [④] (3) "Municipality" means [any] a county, city, town, or political subdivision of this
512 state.

513 [⑤] (4) "Person" means [any] an individual, firm, partnership, corporation, company,
514 association, joint stock association, or body politic and includes any trustee, receiver,
515 assignee, or other similar representation thereof.

516 [⑥] (5) "Public agency" means the United States government or any of [its] the United
517 States government's agencies, a state or [its] a state's agencies, a municipality or other
518 political subdivision, or a tax-supported organization.

519 Section 10. Section **72-10-401** is amended to read:

520 **72-10-401 . Definitions.**

521 As used in this part:

522 [①] (a) "Airport" means any publicly used area of land or water that is used, or intended
523 to be used, for the landing and take-off of aircraft and utilized or to be utilized in the
524 interest of the public for these purposes.]

525 [②] (b) "Airport" includes a vertiport if the vertiport is open for public use.]

526 [③] (1) "Airport hazard" means [any] a structure, tree, object of natural growth, or use of
527 land that potentially obstructs or otherwise impacts the safe and efficient utilization of
528 the navigable airspace required for the flight of aircraft in landing or take-off at an
529 airport.

530 [④] (2) "Airport influence area" means land located:

531 (a) within 5,000 feet of an airport runway; or
532 (b) within 500 feet of a vertiport that is open for public use.

533 [⑤] (3) "Airport overlay zone" means a secondary zoning district designed to protect the
534 public health, safety, and welfare near an airport that:

535 (a) applies land use regulation in addition to the primary zoning district land use
536 regulation of property used as an airport and property within an airport influence area;
537 (b) may extend beyond the airport influence area;
538 (c) ensures airport utility as a public asset;
539 (d) protects property owner land values near an airport through compatible land use
540 regulations as recommended by the Federal Aviation Administration; and

541 (e) protects aircraft occupant safety through protection of navigable airspace.

542 [(5)] (4) "Avigation easement" means an easement permitting unimpeded aircraft flights
543 over property subject to the easement and includes the right:

544 (a) to create or increase noise or other effects that may result from the lawful operation
545 of aircraft; and

546 (b) to prohibit or remove [any] an obstruction to such overflight.

547 [(6)] (5) "Land use regulation" means the same as that term is defined in Sections 10-20-102
548 and 17-79-102.

549 [(7)] (6) "Political subdivision" means [any] a municipality, city, town, or county.

550 [(8)] (7) "Structure" means [any] an object constructed or installed by man, including
551 buildings, towers, smokestacks, and overhead transmission lines.

552 [(9)] (8) "Tree" means [any] an object of natural growth.

553 Section 11. Section **72-10-802** is amended to read:

554 **72-10-802 . Unmanned aircraft system use requirements -- Exceptions.**

555 (1) A law enforcement agency or officer may not obtain, receive, or use data acquired
556 through an unmanned aircraft system unless the data is obtained:
557 (a) [pursuant to] in accordance with a search warrant;
558 (b) in accordance with judicially recognized exceptions to warrant requirements;
559 (c) subject to Subsection (2), from a person who is a nongovernment actor;
560 (d) to locate a lost or missing [person] individual in an area in which [a person] an
561 individual has no reasonable expectation of privacy; or
562 (e) [for purposes unrelated to a criminal investigation.] in a manner that does not violate
563 a reasonable expectation of privacy.

564 (2) A law enforcement officer or agency may only use for law enforcement purposes data
565 obtained from a nongovernment actor if:

566 (a) the data appears to pertain to the commission of a crime; or
567 (b) the law enforcement agency or officer believes, in good faith, that:

568 (i) the data pertains to an imminent or ongoing emergency involving danger of death
569 or serious bodily injury to an individual; and
570 (ii) disclosing the data would assist in remedying the emergency.

571 (3) A law enforcement agency or officer that obtains, receives, or uses data acquired
572 through the use of an unmanned aircraft system or through Subsection (2) shall destroy
573 the data as soon as reasonably possible after the law enforcement agency or officer
574 obtains, receives, or uses the data subject to an applicable retention schedule under Title

575 63G, Chapter 2, Government Records Access and Management Act, or a federal, state,
576 or local law.

577 (4) This section applies to [any] an imaging surveillance device, as defined in Section
578 77-23d-102, when used in conjunction with an unmanned aircraft system.

579 Section 12. Section **77-11d-102** is amended to read:

580 **77-11d-102 . Disposition by police agency.**

581 [All lost or mislaid property coming into the possession of a peace officer or law
- 582 enforcement agency shall be turned over to, held, and disposed of only by the local law
- 583 enforcement agency whose authority extends to the area where the item was found.]

584 (1) Except as described in Subsection (2), a peace officer or law enforcement agency that
585 receives lost or mislaid property shall give the property to, hold the property, and
586 dispose of the property through the local law enforcement agency whose authority
587 extends to the area where the item was found.

588 (2)(a) A peace officer or law enforcement agency at an airport required to maintain a law
589 enforcement presence under 49 C.F.R. Part 1542 may give lost or mislaid property
590 other than a firearm or other dangerous weapon to the airport's operations personnel.

591 (b) An airport shall hold and dispose of property described in Subsection (2)(a) as
592 described in Section 72-10-216.

593 Section 13. **Effective Date.**

594 This bill takes effect on May 6, 2026.