

Airport and Air Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor:

LONG TITLE**General Description:**

This bill amends law relating to airports and drones.

Highlighted Provisions:

This bill:

- 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.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

- 72-10-102**, as last amended by Laws of Utah 2025, Chapters 423, 515
- 72-10-109**, as last amended by Laws of Utah 2025, Chapters 423, 452
- 72-10-110**, as last amended by Laws of Utah 2024, Chapter 483
- 72-10-110.5**, as enacted by Laws of Utah 2018, Chapter 436
- 72-10-118**, as last amended by Laws of Utah 2019, Chapter 431
- 72-10-202**, as last amended by Laws of Utah 2019, Chapter 431
- 72-10-203**, as last amended by Laws of Utah 2019, Chapter 431
- 72-10-301**, as renumbered and amended by Laws of Utah 1998, Chapter 270
- 72-10-401**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17
- 72-10-802**, as renumbered and amended by Laws of Utah 2023, Chapter 216
- 77-11d-102**, as renumbered and amended by Laws of Utah 2023, Chapter 448

ENACTS:

31 **72-10-216**, Utah Code Annotated 1953

32

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

34 Section 1. Section **72-10-102** is amended to read:

35 **72-10-102 . Definitions.**

36 As used in this chapter:

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

designed for navigation of or flight in the air.

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

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

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

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

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

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

(ii) is open or available for public use.

(b) "Airport" includes:

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

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

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

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

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

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

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

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

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

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

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

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

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

(22) "Experimental aircraft" means:

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

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

(i) being custom or amateur built; and

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

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

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

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

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

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

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

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

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

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

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

- (33) "Pilot" means ~~[any]~~ a person who operates the controls of an aircraft while in-flight.
- (34) "Primary glider" means ~~[any]~~ a glider that has a gliding angle of less than 10 to one.
- (35) "Private airport" means an airport that is not open or available for public use.
- (36) "Public aircraft" means an aircraft used exclusively in the service of ~~[any]~~ a government or of ~~[any]~~ a political subdivision, including the government of the United States, of the District of Columbia, and of ~~[any]~~ a state, territory, or insular possession of the United States, but not including ~~[any]~~ a government-owned aircraft engaged in carrying persons or goods for commercial purposes.
- (37) "Reckless flying" means the operation or piloting of ~~[any]~~ an aircraft recklessly, or in a manner as to endanger the property, life, or body of ~~[any]~~ a person, due regard being given to the prevailing weather conditions, field conditions, and to the territory being flown over.
- (38) "Registration number" means the number assigned by the Federal Aviation Administration to ~~[any]~~ an aircraft, whether~~[-or not]~~ the number includes a letter or letters.
- (39) "Roadable aircraft" means an aircraft capable of taking off and landing from a suitable airfield and is also designed to be driven on a highway as a conveyance.
- (40) "Secondary glider" means ~~[any]~~ a glider that has a gliding angle between 10 to one and 16 to one, inclusive.
- (41) "Significant private airport" means a private airport that is designated by the department as a significant private airport as described in Section 72-10-416.
- (42) "Soaring glider" means any glider that has a gliding angle of more than 16 to one.
- (43) "Unmanned aircraft system service supplier" means a service supplier that:
- (a) relays flight information between an unmanned aircraft system operator and a flight management system; and
 - (b) provides information that supports unmanned aircraft system operations and assists with strategic deconfliction by an unmanned aircraft system traffic management system.
- (44) "Unmanned aircraft" means an aircraft that is:
- (a) capable of sustaining flight; and
 - (b) operated with no possible direct human intervention from on or within the aircraft.
- (45) "Unmanned aircraft system" means the entire system used to operate an unmanned aircraft, including:
- (a) the unmanned aircraft, including payload;

- (b) communications equipment;
- (c) navigation equipment;
- (d) controllers;
- (e) support equipment; and
- (f) autopilot functionality.

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

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

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

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

- (1) Except as provided in ~~[Subsection (2)]~~ Subsections (2) and (3), a person may not operate, pilot, or navigate, or cause or authorize to be operated, piloted, or navigated within this state ~~[any]~~ a civil aircraft based in this state for ~~[181]~~ 90 or more days within ~~[any]~~ a consecutive 12-month period unless the aircraft has a current certificate of registration issued by the department.
- (2) The state registration requirement ~~[under]~~ described in Subsection (1) does not apply to:
 - (a) aircraft licensed by a foreign country with which the United States has a reciprocal agreement covering the operations of the registered aircraft; or
 - (b) a non-passenger-carrying flight solely for inspection or test purposes authorized by the Federal Aviation Administration to be made without the certificate of registration~~;~~ or .
 - ~~[(c) aircraft operating under 14 C.F.R. Part 121, with a maximum takeoff weight exceeding 35,000 pounds.]~~
- (3) An aircraft that is owned and operated by an operator licensed under 14 C.F.R. Part 135 headquartered in the state is subject to the registration requirements of this section regardless of how long the aircraft is based in this state.
- (4) Beginning on January 1, 2025, a person may not operate in this state an unmanned aircraft system or an advanced air mobility aircraft for commercial operation for which certification is required under federal rule unless the aircraft has a current certificate of 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:

- (i) exclusively by an entity that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code, and exempt from property taxation under Title 59, Chapter 2, Property Tax Act; and
- (ii) for the emergency transportation of medical patients for at least 95% of ~~[its-]~~ the aircraft's flight time.
- (b) An annual registration fee is imposed on an aircraft 60 years or older equal to the lesser of:
- (i) \$100; or
- (ii) the annual registration fee ~~[provided for under-]~~ described in Subsection (2)(a).
- (c)(i) Except as provided in Subsection (3)(c)(iii), an owner of an aircraft shall apply for a certificate of registration described in Section 72-10-109, if the aircraft:
- (A) is in the manufacture, construction, fabrication, assembly, or repair process;
- (B) is not complete; and
- (C) does not have a valid airworthiness certificate.
- (ii) An aircraft described in Subsection (3)(c)(i) is exempt from the annual registration fee described in Subsection (2)(a).
- (iii) The registration requirement described in Subsection (3)(c)(i) does not apply to an aircraft that, in accordance with Section 59-12-104, is exempt from the taxes imposed under Title 59, Chapter 12, Sales and Use Tax Act.
- (d) An annual registration fee of .25% of the average wholesale value of the aircraft is imposed on an aircraft if the aircraft is:
- (i) used by an air charter service for air charter; and
- (ii) owned by a person other than the air charter service.
- (e) The annual registration fee required in this section is due on December 31 of each year.
- (4)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules to establish and administer a registration fee for an unmanned aircraft system or an advanced air mobility system registered ~~[pursuant to]~~ in accordance with Subsection 72-10-109(3).
- (b) The rules made ~~[pursuant to]~~ in accordance with Subsection (4)(a) regarding registration and applicable fees for an unmanned aircraft system or an advanced air mobility system may include:
- (i) a system for classifying unmanned aircraft systems or an advanced air mobility systems;

- (ii) technical guidance for complying with state and federal law;
- (iii) criteria under which the department may suspend or revoke registration;
- (iv) criteria under which the department may waive registration requirements for an applicant ~~[currently holding]~~ who holds a valid license or permit to operate unmanned aircraft systems issued by another state or territory of the United States, the District of Columbia, or the United States; and
- (v) other rules regarding operation as determined by the department.
- (c)(i) Registration fees for an unmanned aircraft system shall be deposited into the [~~aeronautics restricted account~~] Aeronautics Restricted Account created in Section 72-2-126.
- (ii) The registration fee imposed under Subsection (2)(a)(ii) for a roadable aircraft shall be deposited in the aeronautics restricted account created in Section 72-2-126.
- (5)(a) The department shall provide a registration card to an owner of an aircraft if:
- (i) the owner complies with the registration requirements of this section; and
- (ii) the owner of the aircraft states that the aircraft has a valid airworthiness certificate.
- (b) An owner of an aircraft shall carry the registration card in the registered aircraft.
- (6) ~~[The registration fees assessed under this chapter shall be collected by the department to be distributed.]~~ The department shall collect registration fees assessed under this chapter and distribute the fees as provided in Subsection (7).
- (7) After deducting the costs of administering all aircraft registrations under this chapter, the department shall deposit all remaining aircraft registration fees into the Aeronautics Restricted Account created by Section 72-2-126.
- (8) Aircraft which are initially registered under this chapter for less than a full calendar year shall be charged a registration fee which is reduced in proportion to the fraction of the calendar year during which the aircraft is registered in this state.
- (9)(a) For purposes of this section, an aircraft based at the owner's airport means an aircraft that is hangared, tied down, or parked at an owner's airport for ~~[a plurality of the year.]~~ 90 or more days within any consecutive 12-month period.
- (b) Semi-annually, an owner or operator of an airport open to public use, or of an airport that receives grant funding from the state, shall provide a list of all aircraft based at the owner's airport to the department.
- (10) The department shall maintain a statewide database of all aircraft based within the state.
- (11) The department may suspend or revoke a registration if the department determines that the required fee has not been paid and the fee is not paid upon reasonable notice and

demand.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) ~~[contain]~~ the reasons for the rejection or order; and

(b) ~~[state]~~ the requirements to be met before approval will be given or the order changed.

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

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

(i) be given notice of ~~[its]~~ the airport's noncompliance; and

(ii) have 10 days from the receipt of that notice to respond to the department with a plan and schedule for compliance.

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

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

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

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

~~[(1)]~~ The department may:

~~[(a)]~~ (1) cooperate with counties and municipalities in developing and constructing airports;

~~[(b)]~~ (2) make agreements on behalf of the state with ~~[any]~~ a county or municipality regarding the financial participation, construction, and operation of ~~[any airports]~~ an airport;

~~[(c)]~~ (3) cooperate with the federal government in establishing airports; and

~~[(d)]~~ (4) accept from the United States of America, money to be matched with the funds of the state and funds appropriated by ~~[any]~~ a county or municipality in developing and constructing airports under the Uniform Airports Act.

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

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

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

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

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

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

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

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

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

(1) As used in this section:

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

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

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

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

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

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

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

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

(C) hazardous waste or materials;

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

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

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

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

439 passes upon delivery.

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

442 (e) "Public interest use" means the same as that term is defined in Section 77-11d-101.

443 (2) This section applies only to an airport and an airport operator that is required by the
444 Federal Aviation Administration by 49 C.F.R. Part 1542 to provide law enforcement
445 personnel at the airport as part of a security program as described in 49 C.F.R. Section
446 1544.101.

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

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

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

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

462 (ii) airport's website.

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

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

465 (ii) provide the date of intended disposition.

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

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

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

472 (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

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

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

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

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

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

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

72-10-401 . Definitions.

As used in this part:

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

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

~~[(2)]~~ (1) "Airport hazard" means ~~[any]~~ a structure, tree, object of natural growth, or use of land that potentially obstructs or otherwise impacts the safe and efficient utilization of the navigable airspace required for the flight of aircraft in landing or take-off at an airport.

~~[(3)]~~ (2) "Airport influence area" means land located:

(a) within 5,000 feet of an airport runway; or

(b) within 500 feet of a vertiport that is open for public use.

~~[(4)]~~ (3) "Airport overlay zone" means a secondary zoning district designed to protect the public health, safety, and welfare near an airport that:

(a) applies land use regulation in addition to the primary zoning district land use

regulation of property used as an airport and property within an airport influence area;

(b) may extend beyond the airport influence area;

(c) ensures airport utility as a public asset;

(d) protects property owner land values near an airport through compatible land use

regulations as recommended by the Federal Aviation Administration; and

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

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

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

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

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

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

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

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

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

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

(1) A law enforcement agency or officer may not obtain, receive, or use data acquired through an unmanned aircraft system unless the data is obtained:

(a) ~~[pursuant to]~~ in accordance with a search warrant;

(b) in accordance with judicially recognized exceptions to warrant requirements;

(c) subject to Subsection (2), from a person who is a nongovernment actor;

(d) to locate a lost or missing ~~[person-]~~ individual in an area in which ~~[a person-]~~ an individual has no reasonable expectation of privacy; or

(e) ~~[for purposes unrelated to a criminal investigation.]~~ in a manner that does not violate a reasonable expectation of privacy.

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

(a) the data appears to pertain to the commission of a crime; or

(b) the law enforcement agency or officer believes, in good faith, that:

(i) the data pertains to an imminent or ongoing emergency involving danger of death or serious bodily injury to an individual; and

(ii) disclosing the data would assist in remedying the emergency.

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

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

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

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

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

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

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

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

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

Section 13. **Effective Date.**

This bill takes effect on May 6, 2026.