

**Effective 5/7/2025**

**Chapter 10  
Aeronautics and Space Act**

**Part 1  
Uniform Aeronautical Regulatory Act**

**72-10-101 Title.**

This chapter is known as the "Aeronautics Act."

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-102 Definitions.**

As used in this chapter:

- (1) "Acrobatics" means the intentional maneuvers of an aircraft not necessary to air navigation.
- (2)
  - (a) "Advanced air mobility system" means a system that transports individuals and property using piloted and unpiloted aircraft, including electric aircraft and electric vertical takeoff and landing aircraft, in controlled or uncontrolled airspace.
  - (b) "Advanced air mobility system" includes each component of a system described in Subsection (2)(a), including:
    - (i) the aircraft, including payload;
    - (ii) communications equipment;
    - (iii) navigation equipment;
    - (iv) controllers;
    - (v) support equipment;
    - (vi) an authoritative supplemental data service provider;
    - (vii) flight information exchange; and
    - (viii) remote and autonomous functions.
- (3) "Aerial transit corridor" means an airspace volume defining a three-dimensional route segment with performance requirements to operate within or to cross where tactical air traffic control separation services are not provided.
- (4) "Aeronautics" means transportation by aircraft, air instruction, the operation, repair, or maintenance of aircraft, and the design, operation, repair, or maintenance of airports, or other air navigation facilities.
- (5) "Aeronautics instructor" means an individual engaged in giving or offering to give instruction in aeronautics, flying, or ground subjects, either with or without:
  - (a) compensation or other reward;
  - (b) advertising the occupation;
  - (c) calling the instructor's facilities an air school, or an equivalent term; or
  - (d) employing or using other instructors.
- (6) "Aircraft" means 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 an aviation instructor or in an air school or flying club.
- (8)
  - (a) "Airport" means an area of land or water that:

- (i) is used or is made available for landing and takeoff of aircraft; and
  - (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 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
    - (D) for the right to conduct an activity on, or for the use or disposition of, real or personal property or an interest in real or personal property owned or controlled by the airport operator and used for an airport-related purpose but not located on the airport; or
  - (iii) revenue received from activities conducted by the airport operator whether on or off the airport, which is directly connected to the airport operator's ownership or operation of the airport.
- (b) "Airport revenue" includes state and local taxes on aviation fuel.
- (c) "Airport revenue" does not include amounts received by an airport operator as passenger facility fees in accordance with 49 U.S.C. Sec. 40117.
- (12) "Air school" means a person engaged in giving, offering to give, advertising, representing, or a person holding itself out as giving, with or without compensation or other reward, instruction in aeronautics, flying, or ground subjects, or in more than one of these subjects.
- (13) "Airworthiness" means conformity with requirements prescribed by the Federal Aviation Administration regarding the structure or functioning of aircraft, engine, parts, or accessories.
- (14) "Authoritative supplemental data service provider" means a third party provider of unmanned aircraft system traffic management services that is approved by the department and supplies specialized data to an unmanned aircraft system service supplier or to an unmanned aircraft system operator for a variety of uses.
- (15) "Civil aircraft" means an aircraft other than a public aircraft.
- (16) "Commercial aircraft" means aircraft used for commercial purposes.
- (17) "Commercial airport" means a landing area, landing strip, or airport that may be used for commercial operations.
- (18) "Commercial flight operator" means a person who conducts commercial operations.
- (19) "Commercial operations" means:
- (a) the operation of an aircraft for compensation or hire or services performed incidental to the operation of an aircraft for which a fee is charged or compensation is received, including the

- servicing, maintaining, and repairing of aircraft, the rental or charter of aircraft, the operation of flight or ground schools, the operation of aircraft for the application or distribution of chemicals or other substances, and the operation of aircraft for hunting and fishing; or
- (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 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) 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) 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 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 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 an individual, corporation, limited liability company, or association of individuals.
- (33) "Pilot" means a person who operates the controls of an aircraft while in-flight.
- (34) "Primary glider" means 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 a government or of a political subdivision, including the government of the United States, of the District of Columbia, and of a state, territory, or insular possession of the United States, but not including a government-owned aircraft engaged in carrying persons or goods for commercial purposes.
- (37) "Reckless flying" means the operation or piloting of an aircraft recklessly, or in a manner as to endanger the property, life, or body of 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 an aircraft, whether 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 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.

Amended by Chapter 118, 2026 General Session

**72-10-103 Rulemaking requirement.**

- (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules:
  - (a) governing the establishment, location, and use of air navigation facilities;
  - (b) regulating the use, licensing, and supervision of all airports and vertiports in this state;
  - (c) establishing minimum standards with which all air navigation facilities, flying clubs, aircraft, gliders, pilots, and airports must comply; and
  - (d) safeguarding from accident and protecting the safety of persons operating or using aircraft and persons and property on the ground.
- (2) The rules may:
  - (a) require that any device or accessory that forms part of any aircraft or its equipment be certified as complying with this chapter;
  - (b) limit the use of any device or accessory as necessary for safety; and
  - (c) develop and promote aeronautics within this state.
- (3)

- (a) To avoid the danger of accident incident to confusion arising from conflicting rules governing aeronautics, the rules shall conform as nearly as possible with federal legislation, rules, regulations, and orders on aeronautics.
- (b) The rules may not be inconsistent with paramount federal legislation, rules, regulations, and orders on the subject.
- (4) The department may not require any pilot, aircraft, or mechanic who has procured a license under the Civil Aeronautics Authority of the United States to obtain a license from this state, other than required by this chapter.
- (5) The department may not make rules that conflict with the regulations of:
  - (a) the Civil Aeronautics Authority; or
  - (b) other federal agencies authorized to regulate the particular activity.
- (6) The department shall comply with the procedures and requirements of Title 63G, Chapter 4, Administrative Procedures Act, in its adjudicative proceedings.

Amended by Chapter 216, 2023 General Session

**72-10-104 Investigations and hearings -- Powers.**

- (1) The department may conduct investigations, inquiries, and hearings concerning matters covered by this chapter and accidents or injuries incident to the operation of aircraft occurring within this state.
- (2) The department may:
  - (a) administer oaths and affirmations;
  - (b) certify to all official acts;
  - (c) issue subpoenas;
  - (d) compel the attendance and testimony of witnesses; and
  - (e) compel the production of papers, books, and documents.
- (3)
  - (a) If any person fails to comply with any subpoena or order issued by the department, the department may petition any district court in this state to order compliance.
  - (b) The district court may order the person to comply with the requirements of the subpoena or order of the department, or to give evidence upon the matter in question.
  - (c) Any failure to obey the order of the court may be punished by the court as contempt.

Renumbered and Amended by Chapter 270, 1998 General Session

Amended by Chapter 365, 1998 General Session

**72-10-105 Reports of investigations or hearings -- Restrictions on use -- Employees of department not required to testify.**

- (1) The reports of investigations or hearings, or any part of them, may not be admitted in evidence or used for any purpose in any suit, action, or proceeding growing out of any matter referred to in the investigations or hearings, or in any report of them, except in case of criminal or other proceedings instituted by or on behalf of the department under this title.
- (2) An employee of the department may not be required to testify to any fact ascertained in or information gained by reason of his official capacity.
- (3) The employees of the department may not be required to testify as expert witnesses in any suit, action, or proceeding involving any aircraft or any navigation facility.

Amended by Chapter 431, 2019 General Session

**72-10-106 Enforcement of chapter -- Fees for services by department.**

- (1)
  - (a) The department and every county and municipal officer required to enforce state laws shall enforce and assist in the enforcement of this chapter.
  - (b) The department may enforce this chapter by seeking an injunction in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration.
  - (c) Other departments and political subdivisions of this state may cooperate with the department in the development of aeronautics within this state.
- (2)
  - (a) Unless otherwise provided by statute, the department may adopt a schedule of fees assessed for services provided by the department.
  - (b) Each fee shall be reasonable and fair, and shall reflect the cost of the service provided.
  - (c) Each fee established in this manner shall be submitted to and approved by the Legislature as part of the department's annual appropriations request.
  - (d) The department may not charge or collect any fee proposed in this manner without approval by the Legislature.

Amended by Chapter 158, 2024 General Session

**72-10-107 Procedures -- Adjudicative proceedings.**

The department shall conduct adjudicative proceedings in accordance with Title 63G, Chapter 4, Administrative Procedures Act.

Amended by Chapter 431, 2019 General Session

**72-10-108 Payment of expenses of administration.**

The department shall pay the expenses of the administration of this part out of the special funds set up by the state treasurer for that purpose.

Amended by Chapter 431, 2019 General Session

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

- (1) Except as provided in 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 a civil aircraft based in this state for 90 or more days within a consecutive 12-month period unless the aircraft has a current certificate of registration issued by the department.
- (2) The state registration requirement 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;
  - (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.
- (5) The department shall, on or before December 31 of a calendar year, provide to the State Tax Commission a list of the aircraft for which a current certificate of registration is issued by the department under Subsection (1).

Amended by Chapter 118, 2026 General Session

**72-10-110 Aircraft registration information requirements -- Registration fee -- Administration -- Partial year registration.**

- (1) All applications for aircraft registration shall contain:
  - (a) a description of the aircraft, including:
    - (i) the manufacturer or builder;
    - (ii) the Federal Aviation Administration aircraft registration number, type, year of manufacture, or if an experimental aircraft, the year the aircraft was completed and certified for airworthiness by an inspector of the Federal Aviation Administration; and
    - (iii) gross weight;
  - (b) the name and address of the owner of the aircraft; and
  - (c) where the aircraft is located, or the address where the aircraft is usually used or based.
- (2)
  - (a) Except as provided in Subsection (3) or (4), at the time application is made for registration or renewal of registration of an aircraft under this chapter, an annual registration fee of:
    - (i) 0.4% of the average wholesale value of the aircraft shall be paid; or
    - (ii) for a roadable aircraft, 0.2% of the average wholesale value of the roadable aircraft shall be paid.
  - (b) For purposes of calculating the average wholesale value of an aircraft under Subsection (2)(a) or (3)(d), the department shall use the average wholesale value as stated in the Aircraft Bluebook Price Digest.
  - (c) For an aircraft not listed in the Aircraft Bluebook Price Digest, the department shall calculate the average wholesale value of the aircraft using common industry standards.
  - (d)
    - (i) An owner of an aircraft may challenge the department's calculation of the average wholesale value of the aircraft.
    - (ii) The department shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish a process for challenging the department's calculation under Subsection (2)(d)(i).
- (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 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 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 in accordance with Subsection 72-10-109(3).
  - (b) The rules made 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 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 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 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 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.

Amended by Chapter 118, 2026 General Session

**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 90 or more days within a consecutive 12-month period.
- (3)
  - (a) A county shall distribute fees received as described in Subsection (2) to a taxing entity within the county in the same proportion in which revenues collected from the ad valorem property tax are distributed.
  - (b) 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.

Amended by Chapter 118, 2026 General Session

**72-10-111.5 Aircraft public liability insurance requirements -- Proof of public liability insurance.**

- (1) Subject to Subsection (2), an aircraft owner shall:
  - (a) maintain public liability insurance coverage for the aircraft that conforms to the requirements described in Section 31A-22-1300; and
  - (b) provide a certificate of insurance issued by an insurer as proof of the owner's valid public liability insurance covering the aircraft as part of any lease agreement with a term of six months or more between the aircraft owner and a public airport.
- (2) Subsection (1) applies to an aircraft only if the aircraft is:
  - (a) an operable fixed-wing aircraft; and

- (b) used for flight.

Enacted by Chapter 253, 2021 General Session

**72-10-112 Failure to register -- Penalty -- Compliance audits and inspections -- Rulemaking.**

- (1) Failure to register any aircraft required to be registered with the state subjects the owners of the aircraft to the same penalties provided for motor vehicles under Sections 41-1a-1101, 41-1a-1301, and 41-1a-1307.
- (2)
  - (a) The department shall conduct compliance audits and inspections as needed to enforce state laws related to the registration of aircraft.
  - (b) The department shall coordinate with airport operators to determine and verify accurate reporting of aircraft that are based within the state for the purpose of administering and enforcing state aircraft registration laws.
- (3)
  - (a) In addition to the penalties described in Subsection (1), the department may impose a fine of 10% of the registration fee for the first month and 5% of the registration fee for each subsequent month an aircraft is operated in violation of Section 72-10-109.
  - (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules establishing procedures for the enforcement of state aircraft registration laws and the administration of penalties described in this section.
  - (c) The department shall comply with the procedures and requirements of Title 63G, Chapter 4, Administrative Procedures Act, in all adjudicative proceedings conducted for the enforcement of penalties under this section.

Amended by Chapter 436, 2018 General Session

**72-10-113 Pilot's certificate of competency required -- Exceptions.**

- (1) A person may not pilot within this state any civil aircraft unless that person is the holder of a currently effective pilot's certificate of competency issued by the government of the United States.
- (2) This restriction does not apply to any person operating any aircraft licensed by a foreign country with which the United States has a reciprocal agreement covering the operation of the licensed aircraft.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-114 Mechanic's certificate of competency.**

- (1) Mechanics will be rated as airframe or powerplant mechanics.
- (2) A person may hold a plurality of certificate of competency, including both classes of mechanic's certificate of competency or a pilot's and mechanic's certificate of competency.
- (3) The certificate shall be a currently effective certificate of competency issued by the government of the United States.
- (4) This restriction does not apply to mechanics employed by the United States government.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-115 Certificate carried subject to inspection -- Burden of proving validity of certificate in criminal proceedings.**

- (1) The certificate of license or permit required of a pilot or a student shall be kept in the personal possession of a licensee or permittee operating an aircraft within the state.
- (2) The certificate of license required for an aircraft shall be carried in the aircraft at all times and shall be conspicuously posted in clear view of passengers.
- (3) The certificate of pilot's license, student's permit, or aircraft license shall be presented for inspection upon the demand of any peace officer of this state, any authorized official or employee of the department, or any official, manager, or person in charge of any airport in this state upon which it shall land, or upon the reasonable request of any other person.
- (4) In any criminal prosecution under this title, a defendant who relies upon a license or permit of any kind has the burden of proving that the defendant is properly licensed or is the possessor of a proper license or permit.
- (5) The fact of nonissuance of a license or permit may be evidenced by a certificate signed by the official having power of issuance, or his deputy, under seal of office, stating that a diligent search in the office records has been made and that from the records it appears that no license or permit was issued.

Amended by Chapter 431, 2019 General Session

**72-10-116 Restrictions on use of lands or waters of another.**

- (1)
  - (a) The landing or taking off of aircraft on or from the lands or waters of another without consent is unlawful, except in the case of a forced landing.
  - (b) For damages caused by a takeoff or landing, the owner, lessee of the aircraft, operator, or any of them is liable.
- (2)
  - (a) A student pilot may not land on any area without the knowledge of the operator, instructor, or school from which the student is flying.
  - (b) The use of private landing fields must not impose a hazard upon the person or property of others.

Amended by Chapter 224, 2016 General Session

**72-10-117 Aircraft landing permits -- Eligible aircraft -- Special licenses -- Rules -- Proof of insurance -- Bonds.**

- (1)
  - (a) The county executive of any county may issue a permit authorizing an aircraft to land on or take off from designated county roads.
  - (b) The county executive of any county may issue a permit to an aircraft operated:
    - (i) as an air ambulance;
    - (ii) as a pesticide applicator; or
    - (iii) by or under contract with a public utility and used in connection with inspection, maintenance, installation, operation, construction, or repair of property owned or operated by the public utility.
- (2) The county executive of any county may issue a permit under this section to other aircraft under rules made by the department.
- (3)

- (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules for issuing a special license to:
  - (i) an aircraft permitted by a county executive to land on a county road; and
  - (ii) a pilot permitted to operate an aircraft licensed under this subsection from a county road.
- (b) The rules made under this subsection shall include provisions for the safety of the flying and motoring public.
- (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules for the landing and taking off of aircraft to which permits have been issued under this section, which may include annual reports of activities of the aircraft.
- (5) Before obtaining a permit or license under this section, the applicant shall file with the county executive and the department proof of public liability insurance coverage that meets the requirements described in Section 31A-22-1300.
- (6) In addition to the insurance required under this section, either the county executive or the department may require the posting of a bond to indemnify the county or department against liability resulting from issuing the permit or license under this section.

Amended by Chapter 253, 2021 General Session

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

- (1) Before establishing and operating a non-federally funded airport that is open or available for public use in this state, an airport shall obtain a license issued and authorized by the department.
- (2) If the department rejects an application for a license described under Subsection (1), or issues an order under this chapter that requires or prohibits certain actions, the department shall state:
  - (a) the reasons for the rejection or order; and
  - (b) the requirements to be met before approval will be given or the order changed.
- (3) The department may order the closing of an airport until the department's requirements have been fulfilled.
- (4)
  - (a) An airport not meeting the standards required by the department shall:
    - (i) be given notice of 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.
- (5) The department and a state, county, or municipal officer charged with the duty of enforcing this chapter may inspect and examine at reasonable hours a premise, building, or other structure where regulated airports are operated.

Amended by Chapter 118, 2026 General Session

**72-10-119 Judicial review.**

- (1) Any person against whom an order has been entered may obtain judicial review.
- (2) Venue for judicial review of informal adjudicative proceedings is in the district court of the county in which the order was made or the county in which property affected by the order is located.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-120 Violations -- Penalty.**

A person who fails to comply with the requirements of or violates any provision of this part is guilty of a class B misdemeanor.

Amended by Chapter 140, 2008 General Session

**72-10-121 Severability clause.**

If any provision of this part or its application to any person or circumstances is held invalid, this invalidity may not affect other provisions or applications of the part which can be given effect without the invalid provision or application and to this end the provisions of this part are declared to be severable.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-122 Construction of chapter.**

This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-123 Sovereignty in space above land and water in state.**

Sovereignty in the space above the lands and waters of this state is declared to rest in the state, except where granted to and assumed by the United States pursuant to a constitutional grant from the people of this state.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-124 Report of death or serious injury to person or property.**

If in the operation of civil aircraft death or serious injury to person or to property results, a report shall be made in accordance with federal aviation regulations.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-125 Report of injury to aircraft or property.**

All accidents in the operation of civil aircraft which cause injury to aircraft or property shall be reported in accordance with federal aviation regulations.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-126 Marking buildings to aid navigation.**

- (1) The department may cooperate with the officials of all state institutions for the purpose of marking one building within their group as an aid to aerial navigation.
- (2) The marking is subject to the approval of the department and shall comply with the requirements of the United States civil aeronautics authority for air marking.

Amended by Chapter 431, 2019 General Session

**72-10-127 Tampering with aircraft forbidden.**

It shall be unlawful for any person, without express or implied authority of the owner, to operate, climb upon, enter, manipulate the controls or accessories of, set in motion, remove parts or contents of, or otherwise tamper with any civil aircraft within this state, or knowingly cause or permit the same to be done.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-128 Tampering with airport or equipment forbidden.**

A person may not interfere or tamper with any airport, landing field, or airway, or the equipment thereof.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-129 Expenditures for Civil Air Patrol.**

- (1) The department may expend state aeronautics funds for the Utah wing of the Civil Air Patrol to be used to:
  - (a) purchase aviation facilities, training, supplies, and equipment;
  - (b) defray maintenance and rental costs of hangar facilities and aircraft;
  - (c) purchase maintenance supplies and equipment for the communications network of the Civil Air Patrol; and
  - (d) provide administrative costs approved by the department.
- (2) The expenditures may not exceed in any fiscal year the amount appropriated to the Utah wing of the Civil Air Patrol by the Legislature.

Amended by Chapter 431, 2019 General Session

**72-10-130 Approval of expenditures for Civil Air Patrol.**

An expenditure of state funds for the civil air patrol may not be made unless a purchase order is first approved by the director of aeronautics under guidelines established by the department and unless the funds are specifically used as required in this chapter.

Renumbered and Amended by Chapter 270, 1998 General Session

Amended by Chapter 365, 1998 General Session

**72-10-131 Tax-exempt status of Civil Air Patrol equipment.**

Equipment, aircraft and vehicles owned by the civil air patrol and used for the emergency service needs of the state of Utah are given tax-exempt status.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-133 Marking of meteorological evaluation towers.**

- (1) As used in this section:
  - (a) "Meteorological evaluation tower" means a permanent or temporary tower used for meteorological evaluation that:
    - (i) is supported by guy wires and ground anchors; and

- (ii) has accessory facilities on which an antenna, sensor, camera, meteorological instrument, or other meteorological monitoring equipment is mounted.
- (b) "Meteorological evaluation tower" does not include:
  - (i) a tower registered with the Federal Communications Commission; or
  - (ii) a tower that is primarily used to support telecommunications equipment, including:
    - (A) a microwave relay facility; and
    - (B) a tower erected for the purpose of providing commercial mobile radio service or commercial mobile data service, as those terms are defined in 47 C.F.R. Sec. 20.3.
- (2) Except as required by federal law, rule, or regulation, a meteorological evaluation tower shall be marked as described in Subsection (3) if the tower is:
  - (a) over 50 feet in height;
  - (b) located outside of an incorporated city or town; and
  - (c) on land that is primarily rural, undeveloped, or used for agricultural purposes.
- (3)
  - (a) A meteorological evaluation tower shall:
    - (i) be painted in equal alternating bands of aviation orange and white, beginning with orange at the top and bottom of the tower, to be visible in clear air during daylight hours from a distance of at least two thousand feet;
    - (ii) have a high-visibility safety sleeve at least seven feet long on each guy wire, extending from the anchor point along each guy wire attached to the anchor point;
    - (iii) have a spherical marker attached to the top third of each of the highest guy wires; and
    - (iv) have a flashing light at the top of the tower that, when flashing, is visible during nighttime from a distance of at least two thousand feet.
  - (b) The owner of a meteorological evaluation tower shall replace the markings described in Subsection (3)(a) when they become inoperable, faded, or otherwise deteriorated.
- (4) The owner of a meteorological evaluation tower erected before May 5, 2021, shall meet the requirements of this section before May 5, 2022.

Enacted by Chapter 34, 2021 General Session

## Part 2 Uniform Airports Act

### **72-10-201 Powers of department -- Acceptance of property.**

The department, a county, or municipal legislative body may accept contributions of money or real or personal property for the purpose of establishing, developing, operating, or maintaining airports under this part.

Amended by Chapter 431, 2019 General Session

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

The department may:

- (1) cooperate with counties and municipalities in developing and constructing airports;
- (2) make agreements on behalf of the state with a county or municipality regarding the financial participation, construction, and operation of an airport;

- (3) cooperate with the federal government in establishing airports; and
- (4) accept from the United States of America, money to be matched with the funds of the state and funds appropriated by a county or municipality in developing and constructing airports under the Uniform Airports Act.

Amended by Chapter 118, 2026 General Session

**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 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 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.

Amended by Chapter 118, 2026 General Session

**72-10-203.5 Advisory boards of airports and extraterritorial airports.**

- (1) For purposes of this section:
  - (a) "Airport owner" means the municipality, county, or airport authority that owns one or more airports.
  - (b) "Extraterritorial airport" means an airport, including the airport facilities, real estate, or other assets related to the operation of an airport, outside the municipality or county and within the boundary of a different municipality or county.
- (2)
  - (a) If an airport owner that owns an international airport also owns one or more extraterritorial airports, the airport owner shall create and maintain an advisory board as described in this section.
  - (b) The advisory board shall advise and consult the airport owner according to the process set forth in ordinance, rule, or regulation of the airport owner.
- (3)
  - (a) An advisory board described in Subsection (2) shall consist of 11 members, appointed as follows:
    - (i) one individual from each municipality or county in which an extraterritorial airport is located, appointed:
      - (A) according to an ordinance or policy in place in each municipality or county for appointing individuals to a board, if any; or
      - (B) if no ordinance or policy described in Subsection (3)(a)(i)(A) exists, by the chief executive officer of the municipality or county, with advice and consent from the legislative body of the municipality or county in which the extraterritorial airport is located; and
    - (ii) as many individuals as necessary, appointed by the chief executive officer of the airport owner, with advice and consent from the legislative body of the airport owner, when added to the individuals appointed under Subsection (3)(a)(i), to equal 11 total members on the advisory board.

- (b) The airport owner shall ensure that members of the advisory board have the following qualifications:
  - (i) at least one member with experience in commercial or industrial construction projects with a budget of at least \$10,000,000; and
  - (ii) at least one member with experience in management and oversight of an entity with an operating budget of at least \$10,000,000.
- (4)
  - (a)
    - (i) Except as provided in Subsection (4)(b), the term of office for members of the advisory board shall be four years or until a successor is appointed, qualified, seated, and has taken the oath of office.
    - (ii) A member of the advisory board may serve two terms.
  - (b) When a vacancy occurs on the board for any reason, the replacement shall be appointed according to the procedures set forth in Subsection (3) for the member who vacated the seat, and the replacement shall serve for the remainder of the unexpired term.
- (5) The advisory board shall select a chair of the advisory board.
- (6)
  - (a) The chief executive officer of each municipality or county in which an extraterritorial airport is located, with the advice and consent of the respective legislative body of the municipality or county, may create an extraterritorial airport advisory board to represent the interests of the extraterritorial airport.
  - (b) The extraterritorial airport advisory boards described in Subsection (6)(a) shall meet at least quarterly, and:
    - (i) shall provide advisory support to the member of the advisory board representing the municipality or county; and
    - (ii) may advise in the request for proposals process of a fixed base operator for the respective extraterritorial airport.
- (7) The airport owner, in consultation with the airport advisory board, shall, consistent with the requirements of federal law, study, produce an analysis, and advise regarding the highest and best use and operational strategy for each airport, including all lands, facilities, and assets owned by the airport owner.
- (8) An airport owner, in consultation with the county auditor and the county assessor of a county in which an extraterritorial airport is located, shall explore in good faith whether a municipality or county where an extraterritorial airport is located receives airport-related tax disbursements to which the municipality or county is entitled.
- (9) An airport owner shall report annually to the Transportation Interim Committee regarding the requirements in this section.

Amended by Chapter 517, 2024 General Session

**72-10-204 Lands acquired by department and counties, municipalities, and airport authorities -- Declaration of public purpose.**

Any land acquired, owned, leased, controlled, or occupied by the department or by a county, municipality, or airport authority for the purposes enumerated in Section 72-10-203, is acquired, owned, leased, controlled, or occupied for public, governmental, and municipal purposes.

Amended by Chapter 431, 2019 General Session

**72-10-205 Acquisition of property -- Condemnation.**

- (1) Private property needed by the department or a county, municipality, or airport authority for an airport or landing field or for the expansion of an airport or landing field may be acquired by grant, purchase, lease, or other means if the department or the political subdivision is able to agree with the owners of the property on the terms of acquisition.
- (2) If no agreement can be reached, the private property may be obtained by condemnation in the manner provided for the state or a political subdivision to acquire real property for public purposes.

Amended by Chapter 431, 2019 General Session

**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;
    - (iii) is not in the process of an insurance claim or inspection by the National Transportation Safety Board; and
    - (iv) is not in the process of actively being repaired;
  - (b)
    - (i) is not subject to a lease or other storage agreement with the airport operator;
    - (ii) has remained on airport property for 180 days without being operated; and
    - (iii) has accrued unpaid airport charges during that period; or
  - (c)
    - (i) is subject to an agreement with the airport operator to lease space on airport property;
    - (ii) for which the owner has been notified of the termination of the lease agreement; and
    - (iii) which has remained on airport property for 120 days after being notified of the termination of the lease agreement.
- (2) An airport operator may take possession and dispose of an abandoned aircraft in accordance with Subsections (3) through (5).
- (3)
  - (a) Upon determining that an aircraft located on airport property is abandoned, the airport operator shall notify the aircraft owner as provided in Subsection (3)(b) or (3)(c).
  - (b)
    - (i) If the abandoned aircraft owner and the aircraft owner's address are known, the airport operator shall 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.
    - (ii) If the mailed notice described in Subsection (3)(b)(i) is returned to the airport operator without a forwarding address, the airport operator shall publish a notice as a class A notice under Section 63G-30-102, which shall contain the information described in Subsection (4).
  - (c) If the abandoned aircraft owner or the aircraft owner address is unknown, the airport operator shall publish a notice as a class A notice under Section 63G-30-102, which shall contain the information described in Subsection (4).
- (4) The notice 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)(b); or
  - (ii) 30 days after the day on which the notice is published in accordance with Subsection (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 immune from liability for the seizure and disposal of an abandoned aircraft in accordance with this section.

Amended by Chapter 460, 2025 General Session

**72-10-206 Payment by appropriation or sale of bonds.**

The purchase price or award for real property acquired, in accordance with the provisions of this part, for an airport or landing field may be paid for by appropriation of money available for the property or wholly or partly from the proceeds of the sale of bonds of the county, municipality, or other political subdivision, as the legislative body of the political subdivision shall determine, subject to the adoption of a proposition at a regular or special election, if the adoption of a proposition is a prerequisite to the issuance of bonds of the political subdivision for public purposes generally.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-207 Powers of department and political subdivisions over airports -- Security unit.**

- (1) The department, and counties, municipalities, or other political subdivisions of this state that have established or may establish airports or that acquire, lease, or set apart real property for those purposes, may:
  - (a) construct, equip, improve, maintain, and operate the airports or may vest the authority for their construction, equipment, improvement, maintenance, and operation in an officer of the department or in an officer, board, or body of the political subdivision;
  - (b) adopt rules, establish charges, fees, and tolls for the use of airports and landing fields, fix penalties for the violation of the rules, and establish liens to enforce payment of the charges, fees, and tolls, subject to approval by the commission;
  - (c) lease the airports to private parties for operation for a term not exceeding 50 years, as long as the public is not deprived of its rightful, equal, and uniform use of the facility;
  - (d) lease or assign space, area, improvements, equipment, buildings, and facilities on the airports to private parties for operation for a term not exceeding 50 years;

- (e) lease or assign real property comprising all or any part of the airports to private parties for the construction and operation of hangars, shop buildings, or office buildings for a term not exceeding 50 years, if the projected construction cost of the hangar, shop building, or office building is \$100,000 or more; and
  - (f) establish, maintain, operate, and staff a security unit for the purpose of enforcing state and local laws at any airport that is subject to federal airport security regulations.
- (2) The department or political subdivision shall pay the construction, equipment, improvement, maintenance, and operations expenses of any airport established by them under Subsection (1).
- (3)
- (a) If the department or political subdivision establishes a security unit under Subsection (1)(f), the department head or the governing body of the political subdivision shall appoint persons qualified as peace officers under Title 53, Chapter 13, Peace Officer Classifications to staff the security unit.
  - (b) A security unit appointed by the department or political subdivision is exempt from civil service regulations.
  - (c) If the department or political subdivision establishes a security unit under Subsection (1)(f), the department head or the governing body of the political subdivision:
    - (i) may allow peace officers or other workers to assist with airport operations and vehicle and traffic flow; and
    - (ii) may not allow peace officers or other workers to:
      - (A) unreasonably impede or obstruct traffic;
      - (B) create unsafe traffic situations; or
      - (C) intimidate vehicle drivers or airport passengers.

Amended by Chapter 377, 2020 General Session

**72-10-208 Providing for levying of taxes.**

The local public authorities having power to appropriate money within the counties, municipalities, or other public subdivisions of this state for the purpose of acquiring, establishing, developing, operating, maintaining, or controlling airports under the provisions of this part, are authorized to appropriate and cause to be raised by taxation or otherwise in such political subdivisions money sufficient to carry out therein the provisions of this part, also to use for such purpose or purposes money derived from the airports.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-209 Acquisition of air rights -- Condemnation.**

- (1) To provide unobstructed air space for the landing and taking off of aircraft using airports acquired or maintained under this chapter, the department and a county, municipality, or airport authority may acquire the air rights over private property necessary to insure safe approaches to the landing areas of the airports.
- (2) The air rights may be acquired by grant, purchase, lease, or condemnation in the same manner provided under Section 72-10-205 for the acquisition or expansion of airports.

Amended by Chapter 431, 2019 General Session

**72-10-210 Easements for marks or lights -- Condemnation.**

- (1) The department and a county, municipality, or airport authority may acquire the right or easement for a term of years or perpetually to place and maintain suitable marks for the daytime, and to place, operate, and maintain suitable lights for the nighttime marking of buildings or other structures or obstructions for the safe operation of aircraft using airports and landing fields acquired or maintained under this chapter.
- (2) The rights or easements may be acquired by grant, purchase, lease, or condemnation in the same manner provided under Section 72-10-205 for the acquisition or expansion of airports.

Amended by Chapter 431, 2019 General Session

**72-10-211 Police regulations.**

The department and a county, municipality, or airport authority acquiring, establishing, developing, operating, maintaining, or controlling airports outside the geographical limits of the subdivisions, under this chapter may amend and enforce police regulations for the airports.

Amended by Chapter 431, 2019 General Session

**72-10-212 General provisions of law applicable in condemnation proceedings, issuing bonds, and levying taxes.**

It is the intent and purpose of this part that all provisions herein relating to the issuance of bonds and the levying of taxes for airport purposes and the condemnation for airports and airport facilities shall be construed in accordance with general provisions of the law of this state governing the right and procedure of municipalities to condemn property, issue bonds, and levy taxes.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-213 Severability clause.**

If any provision of this part or its application is held invalid, this invalidity does not affect provisions or applications of the part which can be given effect without the invalid provision or application, and to this end the provisions of this part are declared to be severable.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-214 Construction of part.**

This part shall be so interpreted and construed as to effectuate the general purpose of those states which enact it.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-215 Restrictions on use of airport revenue to finance a fixed guideway.**

An airport operator may not use airport revenue to contribute to the cost of constructing, equipping, maintaining, or operating any portion of a fixed guideway as defined in Section 59-12-102.

Amended by Chapter 263, 2010 General Session

**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 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.
- (2) 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.
- (3) 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.
- (4)
  - (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 proceeds to a lawful purpose;
    - (ii) donate the property to a public interest use;
    - (iii) destroy the property if the property is unfit for public interest use or sale; or
    - (iv) if the property is money, apply the money to a lawful purpose.
  - (g) If the lost or mislaid property is money, an individual claiming the property may only recover the money if the individual can accurately identify:
    - (i) the general location where the money was likely lost or mislaid;
    - (ii) the circumstances under which the individual believes the money was separated from the individual; and
    - (iii) the amount of money lost or mislaid.
  - (h) If the lost or mislaid property is to be disposed and the property contains money, the airport operator may separate the money from the other property for purposes of disposition.
  - (i) A government employee may not claim or receive lost or mislaid property found in the course and scope of the employee's duties at the airport unless the employee is the rightful owner of the property.
- (5)
- (a) An airport operator receiving lost or mislaid property shall maintain records documenting all lost or mislaid property received by the airport operator, including information about the disposition of each item.
  - (b) An airport operator shall retain records created and maintained under Subsection (5)(a) consistent with the retention schedule described in Section 63G-2-604.

Enacted by Chapter 118, 2026 General Session

### **Part 3**

## **Federal Airport Funds Act**

#### **72-10-301 Definitions.**

As used in this part:

- (1) "Air navigation facility" means a facility, other than one owned and operated by the United States, used in, available for use in, or designed for use in aid of air navigation, including structures, mechanisms, lights, beacons, markers, communicating systems, or other instrumentalities, or devices used or useful as an aid, or constituting an advantage or convenience, to the safe taking-off, navigation, and landing of aircraft, or the safe and efficient operation or maintenance of an airport, and any combination of the facilities.
- (2) "Airport hazard" means 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.
- (3) "Municipality" means a county, city, town, or political subdivision of this state.

- (4) "Person" means an individual, firm, partnership, corporation, company, association, joint stock association, or body politic and includes any trustee, receiver, assignee, or other similar representation thereof.
- (5) "Public agency" means the United States government or any of the United States government's agencies, a state or a state's agencies, a municipality or other political subdivision, or a tax-supported organization.

Amended by Chapter 118, 2026 General Session

**72-10-302 Purpose and policy of part.**

It is declared that the purpose of this part is to further the public interest in aeronautical progress:

- (1) by authorizing public agencies of this state to accept, channel, and disburse federal, state, and other funds for the planning, acquisition, construction, maintenance, operation, and regulation of airports and air navigation facilities;
- (2) by granting to a state agency the powers and imposing upon it the duties that the state may obtain the full benefit of financial assistance made available by the federal government, as well as assistance from other sources;
- (3) by providing authority that may be exercised by a public agency independently or jointly with other public agencies, and enabling two or more cities, towns, counties, and other political subdivisions jointly to establish, acquire, develop, and operate an airport or airports for their joint or common use.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-303 Submission of requests for aid -- Approval by department -- Receipt and disbursement of funds.**

- (1) The state, a county, municipality, or airport authority may not submit to any federal agency or department of the United States any requests for aid under any act of congress that provides funds for airports or commercial airport construction, development, expansion, or improvements, unless the project and the requests for aid have been first approved by the department.
- (2) The state, a county, municipality, or airport authority may not directly accept, receive, receipt for, or disburse any funds granted by the United States under the act, but it shall designate the department as its agent and in its behalf to accept, receive, receipt for, and disburse the funds.
- (3) The state, a county, municipality, or airport authority shall enter into an agreement with the department, prescribing the terms and conditions of the agency in accordance with federal laws, rules, and regulations and applicable laws of this state.
- (4) Money paid by the United States government shall be retained by the state or paid to a county, municipality, or airport authority under terms and conditions imposed by the United States government in making the grant.

Amended by Chapter 431, 2019 General Session

**72-10-304 Powers and duties of department.**

- (1) The department may make available its engineering and other technical services, with or without charge, to the state, a county, municipality, or airport authority or person desiring

them in connection with the planning, acquisition, construction, improvement, maintenance, or operation of airports or air navigation facilities.

- (2)
  - (a) The department may render financial assistance by grant, loan, or both, to any county, municipality, or airport authority, in the planning, acquisition, construction, improvement, maintenance, or operation of an airport owned or controlled, or to be owned or controlled by the county, municipality, or airport authority, out of appropriations made by the Legislature for these purposes.
  - (b) Financial assistance may be furnished in connection with federal or other financial aid for the same purposes.
- (3)
  - (a) The department may use the facilities and services of other state agencies and of the counties and municipalities to the utmost extent possible.
  - (b) The state agencies, counties, and municipalities shall make available their facilities and services.
- (4) All powers granted to any county, municipality, or airport authority by this chapter may be exercised jointly with any county, municipality, or airport authority, and jointly with any state agency or the United States if the laws of the other state or of the United States permit the joint exercise.

Amended by Chapter 431, 2019 General Session

**72-10-305 Mutual assistance -- Gifts, leases, and loans.**

- (1) If any public agency determines that the public interest and the interest of the public agency will be served by assisting any other public agency in exercising the powers and authority granted by this part, the public agency may furnish assistance by gift of real or personal property or money or lease or loan with or without charge or interest.
- (2) In appropriating the property or money and providing for the assistance by taxation, the issuance of bonds, or other means, the public agency may exercise all of its powers as though used for its own direct purposes as provided in this part.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-306 Contractual powers of public agencies.**

A public agency may enter into any contracts necessary to the execution of the powers granted it, and for the purposes provided by this part.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-307 Powers of governing bodies.**

The governing body of any public agency having power to appropriate and raise money is authorized to appropriate, and to raise by taxation or otherwise, sufficient money to carry out the provisions and purposes of this part.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-308 Construction of part.**

This part shall be so interpreted and construed as to make uniform so far as possible the laws and regulations of this state and other states and of the government of the United States having to do with the subject of public airports.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-309 Severability clause.**

If any provision of this part or its application to any person or circumstance shall be held invalid, this invalidity does not affect the provisions or applications of this part which can be given effect without the invalid provision or application, and to this end the provisions of this part are declared to be severable.

Renumbered and Amended by Chapter 270, 1998 General Session

**Part 4**  
**Airport Zoning Act**

**72-10-401 Definitions.**

As used in this part:

- (1) "Airport hazard" means 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.
- (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.
- (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.
- (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 an obstruction to such overflight.
- (5) "Land use regulation" means the same as that term is defined in Sections 10-20-102 and 17-79-102.
- (6) "Political subdivision" means a municipality, city, town, or county.
- (7) "Structure" means an object constructed or installed by man, including buildings, towers, smokestacks, and overhead transmission lines.
- (8) "Tree" means an object of natural growth.

Amended by Chapter 118, 2026 General Session

**72-10-402 Declaration with respect to airport hazards.**

The Legislature finds that:

- (1) an airport hazard endangers the lives and property of users of the airport and of occupants of land in its vicinity;
- (2) an obstruction of the type that reduces the size of the area available for the landing, taking-off, and maneuvering of aircraft tends to destroy or impair the utility of the airport and the public investment in the airport;
- (3) the creation or establishment of an airport hazard is a public nuisance and an injury to the community served by the airport in question;
- (4) it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented;
- (5) this should be accomplished, to the extent legally possible, by exercise of the police power, without compensation;
- (6) both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or property interests in land; and
- (7) the establishment of an airport overlay zone best prevents the creation or establishment of an airport hazard, and promotes the public health, safety, and general welfare.

Amended by Chapter 65, 2023 General Session

**72-10-403 Airport zoning regulations.**

- (1) Flight of aircraft over the lands and waters of the state is lawful, unless:
  - (a) at such a low altitude as to interfere with the existing use to which the owner has put the land, water, or the airspace over the land or water; or
  - (b) so conducted as to be imminently dangerous to persons or property lawfully on the land or water beneath.
- (2) In order to prevent the creation or establishment of airport hazards, each political subdivision located within an airport influence area, shall adopt, administer, and enforce land use regulations for the airport influence area, including an airport overlay zone, under the police power and in the manner and upon the conditions prescribed:
  - (a) in this part;
  - (b) Title 10, Chapter 20, Municipal Land Use, Development, and Management Act; and
  - (c) Title 17, Chapter 79, County Land Use, Development, and Management Act.
- (3)
  - (a) Each political subdivision located within an airport influence area shall notify a person building on or developing land in an airport influence area, in writing, of aircraft overflights and associated noise.
  - (b) To promote the safe and efficient operation of the airport, a political subdivision located within an airport influence area:
    - (i) shall:
      - (A) adopt an airport overlay zone conforming to the requirements of this chapter and 14 C.F.R. Part 77; and
      - (B) require any proposed development within an airport influence area to conform with 14 C.F.R. Part 77; and

- (ii) may, as a condition to granting a building permit, subdivision plat, or a requested zoning change within an airport influence area, require a person building or developing land to grant or sell to the airport owner, at appraised fair market value, an avigation easement.
- (4) If a political subdivision located within an airport influence area fails to adopt an airport overlay zone by December 31, 2024, then the following requirements shall apply in an airport influence area:
  - (a) each political subdivision located within an airport influence area shall notify a person building on or developing land within an airport influence area, in writing, of aircraft overflights and associated noise;
  - (b) as a condition to granting a building permit, subdivision plat, or a requested zoning change within an airport influence area, require the person building or developing land to grant or sell to the airport owner, at appraised fair market value, an avigation easement; and
  - (c) require a person building or developing land within an airport influence area conform to the requirements of this chapter and 14 C.F.R. Part 77.

Amended by Chapter 15, 2025 Special Session 1

**72-10-404 Zoning ordinances -- Governing law in event of conflict.**

In the event of conflict between any airport land use regulations adopted under this part and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the airport overlay zone requirement shall govern and prevail.

Amended by Chapter 65, 2023 General Session

**72-10-413 Purchase or condemnation of air rights or navigation easements.**

A political subdivision owning the airport, whether or not the airport is located within the territorial limits of the political subdivision, or a political subdivision that is served by the airport may acquire, by purchase, grant, or condemnation in the manner provided by the law under which political subdivisions are authorized to acquire real property for public purposes, an air right, an avigation easement, or other estate or interest in the property or nonconforming structure or use in question if:

- (1) it is desired to remove, lower, or otherwise terminate a nonconforming structure or use;
- (2) the approach protection necessary cannot, because of constitutional limitations, be provided by airport land use regulations under this part; or
- (3) it appears advisable that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations.

Amended by Chapter 65, 2023 General Session

**72-10-415 Severability clause.**

If any provision of this part or its application to any person or circumstances is held invalid, this invalidity does not affect the provisions or applications of the part which can be given effect without the invalid provision or application, and to this end the provisions of this part are declared to be severable.

Renumbered and Amended by Chapter 270, 1998 General Session

**72-10-416 Private airports designated as significant.**

- (1) Upon request from an owner of a private airport, the department shall determine whether to designate a private airport as a significant private airport.
- (2) The department shall designate a private airport as a significant private airport if the department determines that the private airport:
  - (a) is registered with the Federal Aviation Administration;
  - (b) appears on aeronautical charts published by the Federal Aviation Administration; and
  - (c) has significant infrastructure investment, such as a paved runway, lighting, fuel facilities, or more than 20 based aircraft.
- (3) If the department designates a private airport as a significant private airport, the department shall notify the relevant municipality or county of:
  - (a) the department's designation; and
  - (b) the municipality's or county's responsibility to make the recording described in Section 10-20-214 or 17-71-504.

Amended by Chapter 17, 2025 Special Session 1

**Part 5  
Flying While Intoxicated**

**72-10-501 Flying under the influence of alcohol, drugs, or with specified or unsafe blood alcohol concentration -- Calculations of blood or breath alcohol -- Criminal punishment -- Arrest without warrant.**

- (1)
  - (a) A person may not operate or be in actual physical control of an aircraft within this state if the person:
    - (i) has sufficient alcohol in his body that a subsequent chemical test shows that the person has a blood or breath alcohol concentration of .04 grams or greater at the time of the test;
    - (ii) is under the influence of alcohol, any drug, or the combined influence of alcohol and any drug to a degree that renders the person incapable of safely operating an aircraft; or
    - (iii) has a blood or breath alcohol concentration of .04 grams or greater at the time of operation or actual physical control.
  - (b) The fact that a person charged with violating this section is or has been legally entitled to use alcohol or a drug is not a defense against any charge of violating this section.
- (2) Calculations of blood or breath alcohol concentration under this section shall be made in accordance with Subsection 41-6a-502(1).
- (3)
  - (a) A person convicted of a violation of Subsection (1) is guilty of a:
    - (i) class B misdemeanor; or
    - (ii) class A misdemeanor if the person has also inflicted bodily injury upon another as a proximate result of having operated the aircraft in a negligent manner.
  - (b) In this section, the standard of negligence is that of simple negligence, the failure to exercise that degree of care that an ordinarily reasonable and prudent person exercises under like or similar circumstances.
- (4) A peace officer may, without a warrant, arrest a person for a violation of this section when the officer has probable cause to believe:

- (a) the violation has occurred, although not in the officer's presence; and
- (b) the violation was committed by that person.

Amended by Chapter 2, 2005 General Session

**72-10-502 Implied consent to chemical tests for alcohol or drugs -- Number of tests -- Refusal -- Person incapable of refusal -- Results of test available -- Who may give test -- Evidence -- Immunity from liability.**

- (1)
  - (a) A person operating an aircraft in this state consents to a chemical test or tests of the person's breath, blood, urine, or oral fluids:
    - (i) for the purpose of determining whether the person was operating or in actual physical control of an aircraft while having a blood or breath alcohol content statutorily prohibited under Section 72-10-501, or while under the influence of alcohol, any drug, or combination of alcohol and any drug under Section 72-10-501, if the test is or tests are administered at the direction of a peace officer having grounds to believe that person to have been operating or in actual physical control of an aircraft in violation of Section 72-10-501; or
    - (ii) if the person operating the aircraft is involved in an accident that results in death, serious injury, or substantial aircraft damage.
  - (b)
    - (i) The peace officer determines which of the tests are administered and how many of them are administered.
    - (ii) The peace officer may order any or all tests of the person's breath, blood, urine, or oral fluids.
    - (iii) If an officer requests more than one test, refusal by a person to take one or more requested tests, even though the person does submit to any other requested test or tests, is a refusal under this section.
  - (c)
    - (i) A person who has been requested under this section to submit to a chemical test or tests of the person's breath, blood, urine, or oral fluids may not select the test or tests to be administered.
    - (ii) The failure or inability of a peace officer to arrange for any specific chemical test is not a defense to taking a test requested by a peace officer, and it is not a defense in any criminal, civil, or administrative proceeding resulting from a person's refusal to submit to the requested test or tests.
- (2)
  - (a) If the person has been placed under arrest and has then been requested by a peace officer to submit to any one or more of the chemical tests provided in Subsection (1) and refuses to submit to any chemical test, the person shall be warned by the peace officer requesting the test that a refusal to submit to the test is admissible in civil or criminal proceedings as provided under Subsection (8).
  - (b) Following this warning, unless the person immediately requests that the chemical test offered by a peace officer be administered, a test may not be given.
- (3) A person who is dead, unconscious, or in any other condition rendering the person incapable of refusal to submit to any chemical test or tests is considered to not have withdrawn the consent provided for in Subsection (1), and the test or tests may be administered whether the person has been arrested or not.

- (4) Upon the request of the person who was tested, the results of the test or tests shall be made available to that person.
- (5)
  - (a) Only the following, acting at the request of a peace officer, may draw blood to determine its alcohol or drug content:
    - (i) a physician;
    - (ii) a registered nurse;
    - (iii) a licensed practical nurse;
    - (iv) a paramedic;
    - (v) as provided in Subsection (5)(b), emergency medical service personnel other than paramedics; or
    - (vi) a person with a valid permit issued by the Department of Public Safety under Section 53-2d-103.
  - (b) The Department of Public Safety may designate by rule, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, which emergency medical service personnel, as defined in Section 53-2d-101, are authorized to draw blood under Subsection (5)(a)(v), based on the type of license under Section 53-2d-402.
  - (c) Subsection (5)(a) does not apply to taking a urine, breath, or oral fluid specimen.
  - (d) The following are immune from civil or criminal liability arising from drawing a blood sample from a person who a peace officer has reason to believe is flying in violation of this chapter if the sample is drawn in accordance with standard medical practice:
    - (i) a person authorized to draw blood under Subsection (5)(a); and
    - (ii) if the blood is drawn at a hospital or other medical facility, the medical facility.
- (6)
  - (a) The person to be tested may, at the person's own expense, have a physician of the person's own choice administer a chemical test in addition to the test or tests administered at the direction of a peace officer.
  - (b) The failure or inability to obtain the additional test does not affect admissibility of the results of the test or tests taken at the direction of a peace officer, or preclude or delay the test or tests to be taken at the direction of a peace officer.
  - (c) The additional test shall be subsequent to the test or tests administered at the direction of a peace officer.
- (7) For the purpose of determining whether to submit to a chemical test or tests, the person to be tested does not have the right to consult an attorney or have an attorney, physician, or other person present as a condition for the taking of any test.
- (8) If a person under arrest refuses to submit to a chemical test or tests or any additional test under this section, evidence of any refusal is admissible in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person was operating or in actual physical control of an aircraft while under the influence of alcohol, any drug, or combination of alcohol and any drug.
- (9) The results of any test taken under this section or the refusal to be tested shall be reported to the Federal Aviation Administration by the peace officer requesting the test.
- (10) Notwithstanding the provisions of this section, a blood test taken under this section is subject to Section 77-23-213.

Amended by Chapter 340, 2025 General Session

**72-10-503 Standards for chemical analysis of breath or oral fluids -- Evidence.**

- (1) The Commissioner of the Department of Public Safety shall establish standards for the administration and interpretation of chemical analysis of a person's breath or oral fluids, including standards of training.
- (2) In any action or proceeding in which it is material to prove that a person was operating or in actual physical control of an aircraft while under the influence of alcohol or any drug or operating with a blood or breath alcohol content statutorily prohibited, documents offered as memoranda or records of acts, conditions, or events to prove that the analysis was made and the instrument used was accurate, according to standards established in Subsection (1), are admissible if:
  - (a) the judge finds that they were made in the regular course of the investigation at or about the time of the act, condition, or event; and
  - (b) the source of information from which made and the method and circumstances of their preparation indicate their trustworthiness.
- (3) If the judge finds that the standards established under Subsection (1) and the conditions of Subsection (2) have been met, there is a presumption that the test results are valid and further foundation for introduction of the evidence is unnecessary.

Amended by Chapter 205, 2004 General Session

**72-10-504 Admissibility of chemical test results in actions for flying under the influence -- Weight of evidence.**

- (1)
  - (a) In any civil or criminal action or proceeding in which it is material to prove that a person was operating or in actual physical control of an aircraft while under the influence of alcohol, drugs, or with a blood or breath alcohol content statutorily prohibited, the results of a chemical test or tests as authorized in Section 72-10-502 are admissible as evidence.
  - (b)
    - (i) In a criminal proceeding, noncompliance with Section 72-10-502 does not render the results of the chemical test inadmissible.
    - (ii) Evidence of a defendant's blood or breath alcohol content or drug content is admissible except when prohibited by Rules of Evidence or the constitution.
- (2) This section does not prevent a court from receiving otherwise admissible evidence as to a defendant's blood or breath alcohol level or drug level at the time relevant to the alleged offense.

Amended by Chapter 106, 2002 General Session

**Part 6**  
**Airport Ground Transportation Security**

**72-10-601 Definitions.**

As used in this part:

- (1) "City" means a municipality of the first class, as defined under Section 10-2-301, that:
  - (a) is authorized by statute to operate an airport; and
  - (b) operates an airport with greater than 10 million annual passengers.

- (2) "Division" means the Criminal Investigation and Technical Services Division of the Department of Public Safety, established in Section 53-10-103.
- (3) "Ground transportation service" means transporting passengers for hire or as a courtesy in connection with a business over public streets pursuant to a license with the city.
- (4)
  - (a) "Ground transportation service provider" means a driver who provides ground transportation service where the pickup or drop-off of a passenger occurs at an airport under a city's authority.
  - (b) "Ground transportation service provider" includes:
    - (i) a taxicab driver;
    - (ii) a limousine or luxury car driver;
    - (iii) a bus or minibus driver, except a driver of a transit vehicle, as defined in Section 17B-2a-802;
    - (iv) a courtesy vehicle or hotel vehicle driver;
    - (v) a special transportation vehicle driver who transports persons with a disability; and
    - (vi) a van driver.

Amended by Chapter 366, 2011 General Session

**72-10-602 Criminal background check authorized -- Written notice required.**

- (1) A city may by ordinance require a ground transportation service provider to submit to a criminal background check as a condition of providing ground transportation service to an airport under the city's authority.
- (2)
  - (a) Each ground transportation service provider, if required to submit a background check under Subsection (1), shall:
    - (i) submit a fingerprint card in a form acceptable to the division; and
    - (ii) consent to a fingerprint background check by:
      - (A) the Utah Bureau of Criminal Identification; and
      - (B) the Federal Bureau of Investigation.
  - (b) If requested by a city that has adopted an ordinance in accordance with Subsection (1), the division shall request the Department of Public Safety to complete a Federal Bureau of Investigation criminal background check through a national criminal history system for each background check requested by a city under this section.
- (c)
  - (i) If a city has adopted an ordinance in accordance with Subsection (1), the city may make a ground transportation service provider's access to provide ground transportation service to an airport conditional pending completion of a criminal background check under this section.
  - (ii) If a criminal background check discloses that a ground transportation service provider failed to disclose accurately a criminal history, the city may deny or, if conditionally given, immediately terminate the ground transportation service provider's right to provide ground transportation service to an airport.
  - (iii) If a ground transportation service provider accurately disclosed the relevant criminal history and the criminal background check discloses that the ground transportation service provider has been convicted of a crime that indicates a potential risk for the safety or well-being of the patrons or employees of the airport under the city's authority, the city may deny or, if conditionally given, immediately terminate the ground transportation service provider's right to provide ground transportation service to an airport.

- (3) Each city that requests a criminal background check under Subsection (1) shall prepare criteria for which criminal activity will preclude ground transportation service to the airport and shall provide written notice to the ground transportation service provider who is the subject of the criminal background check that the background check has been requested.
- (4) The legislative body of a city may by a majority vote of its members overrule a decision made by the mayor or a city employee establishing the criteria for precluding the right of a ground transportation service provider under Subsection (3).

Enacted by Chapter 137, 2006 General Session

**72-10-603 Duties of the Criminal Investigation and Technical Services Division -- Costs of separate file and background check.**

- (1) If a city requests the division to conduct a criminal background check under Section 72-10-602, the division shall:
  - (a) release to the city the full record of criminal convictions for the ground transportation service provider who is the subject of the background check;
  - (b) if requested by the city, seek additional information from regional or national criminal data files in conducting the criminal background check;
  - (c) maintain a separate file of fingerprints submitted under Section 72-10-602; and
  - (d) notify the requesting city when a new entry is made against a ground transportation service provider whose fingerprints are held in the file.
- (2)
  - (a) Each city requesting a criminal background check shall pay to the division the cost of:
    - (i) maintaining the separate file of fingerprints under Subsection (1); and
    - (ii) conducting a criminal background check under Section 72-10-602, including costs charged by the Federal Bureau of Investigation or other entity for conducting a national criminal background check, if requested by a city.
  - (b) The cost borne by a city under Subsection (2)(a) may be covered by fees charged to a ground transportation service provider who is the subject of the background check.

Enacted by Chapter 137, 2006 General Session

**72-10-604 Written notice to ground transportation service provider whose access to airport is denied or terminated -- Right to respond and seek review.**

- (1) If a city denies or terminates the right of a ground transportation service provider to provide ground transportation service to an airport because of information obtained through a criminal background check under this part, the city shall:
  - (a) notify the ground transportation service provider in writing of the reasons for the denial or termination; and
  - (b) give the ground transportation service provider an opportunity to respond to the reasons and to seek review of the denial or termination through administrative procedures established by the city.
- (2) If a ground transportation service provider is denied access to provide ground transportation service to an airport, the denial shall not impact the right of another ground transportation service provider who provides ground transportation service for the same business.

Enacted by Chapter 137, 2006 General Session

## Part 7 Unmanned Aircraft -- Drones

### **72-10-701 Preemption of local ordinance -- Business licensing.**

- (1) As used in this section, "advanced air mobility business" means a business that operates an unmanned aircraft system or an advanced air mobility system for a commercial purpose that is required to obtain a certificate pursuant to 14 C.F.R. Part 107 or 135.
- (2) A political subdivision of the state, or an entity within a political subdivision of the state, may not enact a law, ordinance, or rule governing the private use of an unmanned aircraft or the private use of an advanced air mobility system, unless:
  - (a) authorized by this chapter; or
  - (b) the political subdivision or entity is an airport operator that enacts the law, rule, or ordinance to govern:
    - (i) the operation of an unmanned aircraft or an advanced air mobility system within the geographic boundaries of the airport over which the airport operator has authority; or
    - (ii) the takeoff or landing of an unmanned aircraft or an aircraft operated as part of an advanced air mobility system at the airport over which the airport operator has authority.
- (3)
  - (a) Subject to the provisions of this chapter, a political subdivision may require an advanced air mobility business to obtain a business license if the advanced air mobility business does not hold a current business license in good standing from another political subdivision in the state.
  - (b) A political subdivision may only charge a licensing fee to an advanced air mobility business in an amount that reimburses the political subdivision for the actual cost of processing the business license.
- (4) A political subdivision may not require an advanced air mobility business to:
  - (a) obtain a separate business license beyond the initial business license described in Subsection (3)(a);
  - (b) pay a fee other than the fee for the initial business license described in Subsection (3); or
  - (c) pay a fee for each employee the advanced air mobility business employs.
- (5) A political subdivision shall provide a reasonable accommodation to an advanced air mobility business with regard to any regulation or restriction on the size of the business.
- (6) A political subdivision shall recognize as valid within the political subdivision the business license of an advanced air mobility business obtained in another political subdivision within the state, if the business license is current and in good standing.
- (7)
  - (a) A political subdivision may not create a monopoly by entering into an agreement to grant or permit an exclusive right to one or more vertiport owners as the only vertiport owners or operators within the boundary of the political subdivision.
  - (b) Subsection (7)(a) does not preclude a political subdivision from granting a permit or right to a vertiport owner or operator if only one owner or operator applies for a permit in that political subdivision.
- (8) Notwithstanding Subsection (7), if a political subdivision issues a permit to a vertiport owner or operator, unless the vertiport owner, operator, or facility receives any public money, the vertiport owner or operator may exclude other users from using the owner's or operator's vertiport.

(9) This chapter supersedes any law, ordinance, or rule enacted by a political subdivision of the state before July 1, 2022.

Amended by Chapter 22, 2023 General Session

Amended by Chapter 22, 2023 General Session, (Coordination Clause)

Renumbered and Amended by Chapter 216, 2023 General Session

Amended by Chapter 366, 2023 General Session

**72-10-702 Applicability.**

This chapter does not apply to a person or business entity:

- (1) using an unmanned aircraft for legitimate educational or business purposes; and
- (2) operating the unmanned aircraft system in a manner consistent with applicable Federal Aviation Administration rules, exemptions, or other authorizations.

Renumbered and Amended by Chapter 216, 2023 General Session

**72-10-703 Advanced air mobility toolkit.**

- (1) As used in this section, "political subdivision" means the same as that term is defined in Section 72-10-401.
- (2) On or before July 1, 2026, the department shall:
  - (a) develop a toolkit for a political subdivision to address advanced air mobility, including:
    - (i) model ordinances governing advanced air mobility;
    - (ii) best practices; and
    - (iii) available resources that can assist the political subdivision in developing and implementing advanced air mobility policy;
  - (b) regularly maintain and update the toolkit; and
  - (c) make the toolkit publicly available on the department's website.
- (3) The department may not require a political subdivision to adopt or implement any portion of the advanced air mobility toolkit.

Enacted by Chapter 423, 2025 General Session

**Part 8**  
**Law Enforcement Use of Unmanned Aircraft**

**72-10-801 Definitions.**

As used in this part:

- (1) "Civilian" means a person that is not a law enforcement officer.
- (2) "Law enforcement agency" means the same as that term is defined in Section 53-3-102.
- (3) "Law enforcement officer" means the same as that term is defined in Section 53-13-103.
- (4) "Target" means a person upon whom, or an object, structure, or area upon which, another person:
  - (a) has intentionally collected or attempted to collect information through the operation of an unmanned aircraft system; or
  - (b) intends to collect or to attempt to collect information through the operation of an unmanned aircraft system.

Renumbered and Amended by Chapter 216, 2023 General Session

**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) 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 individual in an area in which an individual has no reasonable expectation of privacy; or
  - (e) 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 an imaging surveillance device, as defined in Section 77-23d-102, when used in conjunction with an unmanned aircraft system.

Amended by Chapter 118, 2026 General Session

**72-10-803 Data retention.**

- (1) Except as provided in this section, a law enforcement agency:
  - (a) may not use, copy, or disclose data collected by an unmanned aircraft system on a person, structure, or area that is not a target; and
  - (b) in accordance with applicable federal, state, and local laws, shall ensure that data described in Subsection (1)(a) is destroyed as soon as reasonably possible after the law enforcement agency collects or receives the data.
- (2) A law enforcement agency is not required to comply with Subsection (1) if:
  - (a) deleting the data would also require the deletion of data that:
    - (i) relates to the target of the operation; and
    - (ii) is requisite for the success of the operation;
  - (b) the law enforcement agency receives the data:
    - (i) through a court order that:
      - (A) requires a person to release the data to the law enforcement agency; or
      - (B) prohibits the destruction of the data; or
    - (ii) from a person who is a nongovernment actor;
  - (c)
    - (i) the data was collected inadvertently; and
    - (ii) the data appears to pertain to the commission of a crime;

- (d)
  - (i) the law enforcement agency reasonably determines that the data pertains to an emergency situation; and
  - (ii) using or disclosing the data would assist in remedying the emergency; or
- (e) the data was collected through the operation of an unmanned aircraft system over public lands outside of municipal boundaries.

Renumbered and Amended by Chapter 216, 2023 General Session

**72-10-804 Reporting.**

- (1) As used in this section, "law enforcement encounter" means the same as that term is defined in Section 77-7a-103.
- (2) A law enforcement officer or agency that operates an unmanned aircraft system while on duty or acting in the law enforcement officer's or agency's official capacity, or obtains or receives data in accordance with Section 72-10-802, shall document the following in any report or other official record of the law enforcement encounter:
  - (a) the presence and use of the unmanned aircraft;
  - (b) any data acquired; and
  - (c) if applicable, the person from whom data was received in accordance with Subsection 72-10-802(2).

Renumbered and Amended by Chapter 216, 2023 General Session

**Part 9**  
**Unlawful Use of Unmanned Aircraft**

**72-10-901 Definitions.**

As used in this part, "weapon" means:

- (1) a firearm as that term is defined in Section 76-11-101; or
- (2) an object that in the manner of the object's use or intended use is capable of causing death, bodily injury, or damage to property, as determined according to the following factors:
  - (a) the location and circumstances in which the object is used or possessed;
  - (b) the primary purpose for which the object is made;
  - (c) the character of the damage, if any, the object is likely to cause;
  - (d) the manner in which the object is used;
  - (e) whether the manner in which the object is used or possessed constitutes a potential imminent threat to public safety; and
  - (f) the lawful purposes for which the object may be used.

Amended by Chapter 173, 2025 General Session

Amended by Chapter 208, 2025 General Session

**72-10-902 Weapon attached to unmanned aircraft -- Penalties.**

- (1)
  - (a) Except as provided in Subsection (2), a person may not fly an unmanned aircraft that carries a weapon or to which a weapon is attached.

- (b) A person that violates Subsection (1)(a) is guilty of a class B misdemeanor.
- (2) A person may fly an unmanned aircraft that carries a weapon or to which a weapon is attached if the person:
  - (a)
    - (i) obtains a certificate of authorization, or other written approval, from the Federal Aviation Administration authorizing the person to fly the unmanned aircraft that carries the weapon or to which the weapon is attached; and
    - (ii) operates the unmanned aircraft in accordance with the certificate of authorization or other written approval;
  - (b)
    - (i) obtains a contract with the state or the federal government permitting the person to fly the unmanned aircraft that carries the weapon or to which the weapon is attached; and
    - (ii) operates the unmanned aircraft in accordance with the contract; or
  - (c) operates the unmanned aircraft that carries the weapon or to which the weapon is attached in airspace controlled by the United States Department of Defense, with the permission of the United States Department of Defense.

Renumbered and Amended by Chapter 216, 2023 General Session

**72-10-903 Unlawful operation of an unmanned aircraft near a correctional facility.**

- (1) An individual may not operate an unmanned aircraft system:
  - (a) to carry or drop any item to or inside the property of a correctional facility;
  - (b) in a manner that interferes with the operations or security of a correctional facility; or
  - (c) to remove any item from inside the property of a correctional facility.
- (2)
  - (a) A violation of Subsection (1)(a) or (c) is a third degree felony.
  - (b) A violation of Subsection (1)(b) is a class B misdemeanor.
- (3) An operator of an unmanned aircraft system does not violate Subsection (1) if the operator is:
  - (a) an employee or contractor working on behalf of a mosquito abatement district created pursuant to Title 17B, Limited Purpose Local Government Entities - Special Districts, or Title 17D, Limited Purpose Local Government Entities - Other Entities; and
  - (b) acting in the course and scope of the operator's employment.

Amended by Chapter 258, 2026 General Session

**Part 10**  
**Safe Use of Unmanned Aircraft**

**72-10-1001 Reserved.**

Reserved.

Enacted by Chapter 216, 2023 General Session

**72-10-1002 Safe operation of unmanned aircraft.**

- (1) An individual who operates an unmanned aircraft system to fly an unmanned aircraft for recreational purposes shall comply with this section or 49 U.S.C. Sec. 44809.

- (2) An individual operating an unmanned aircraft shall:
  - (a) maintain visual line of sight of the unmanned aircraft in order to:
    - (i) know the location of the unmanned aircraft;
    - (ii) determine the attitude, altitude, and direction of flight;
    - (iii) observe the airspace for other air traffic or hazards; and
    - (iv) determine that the unmanned aircraft does not endanger the life or property of another person; and
  - (b) ensure that the ability described in Subsection (2)(a)(i) is exercised by either:
    - (i) the operator of the unmanned aircraft; or
    - (ii) a visual observer.
- (3) An individual may not operate an unmanned aircraft in Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport unless the operator of the unmanned aircraft has prior authorization from air traffic control.
- (4) An individual may not operate an unmanned aircraft in a manner that interferes with operations and traffic patterns at any airport, heliport, or seaplane base.
- (5)
  - (a) Except as provided in Subsection (5)(b), an individual may not operate an unmanned aircraft system:
    - (i) from a public transit rail platform or station; or
    - (ii)
      - (A) under a height of 50 feet within a public transit fixed guideway right-of-way; and
      - (B) directly above any overhead electric lines used to power a public transit rail vehicle.
  - (b) Subsection (5)(a) does not apply to:
    - (i) an individual employed or contracted by a large public transit district who may operate an unmanned aircraft from a public transit rail platform or station or near a public transit facility:
      - (A) to examine the public transit right-of-way for impediments or obstructions;
      - (B) to examine a public transit facility for safety concerns; or
      - (C) for any other safety-related purpose related to the operations of a large public transit district; or
    - (ii) an individual who is a member of law enforcement operating an unmanned aircraft system in accordance with Section 72-10-802.
- (6)
  - (a) An individual may not operate an unmanned aircraft over any surface critical infrastructure facility as defined in Section 76-6-106.3, unless the operator of the unmanned aircraft has prior authorization from the facility.
  - (b) Subsection (6)(a) does not apply to:
    - (i) a first responder, as that term is defined in Section 53-3-207; or
    - (ii) a state or federal agency with regulatory authority over the relevant critical infrastructure facility.
- (7) An individual may not operate an unmanned aircraft in violation of a notice to airmen described in 14 C.F.R. Sec. 107.47.
- (8) Unless a waiver has been granted by the Federal Aviation Administration, an individual may not operate an unmanned aircraft at an altitude that is higher than 400 feet above ground level unless the unmanned aircraft:
  - (a) is flown within a 400-foot radius of a structure; and
  - (b) does not fly higher than 400 feet above the structure's immediate uppermost limit.
- (9)

- (a) An individual who violates this section is liable for any damages that may result from the violation.
- (b) A law enforcement officer shall issue a written warning to an individual who violates this section who has not previously received a written warning for a violation of this section.
- (c) Except as provided in Subsection (9)(d), an individual who violates this section after receiving a written warning for a previous violation of this section is guilty of an infraction.
- (d) An individual who violates this section is guilty of a class B misdemeanor for each conviction of a violation of this section after the individual is convicted of an infraction or a misdemeanor for a previous violation of this section.

Amended by Chapter 446, 2024 General Session

## **Part 11 Navigable Airspace Leasing**

### **72-10-1101 Navigable airspace leasing.**

- (1) A highway authority may enter into a non-exclusive lease agreement for the use of the navigable airspace above a highway for private purposes:
  - (a) for such period as the highway authority determines the navigable airspace will not be needed for public purposes; and
  - (b) upon other terms and conditions the highway authority finds to be in the public interest.
- (2) Before entering into a lease agreement for the use of navigable airspace, a highway authority shall ensure that the agreement described in Subsection (1) is consistent with Federal Aviation Administration requirements.
- (3) The highway authority shall determine whether the agreement described in Subsection (1) will unreasonably interfere with the public use and utility of the highway and is in the public interest.
- (4) An agreement described in Subsection (1) does not affect the dedication of the highway under Section 72-5-104.

Enacted by Chapter 483, 2024 General Session

## **Part 12 Prohibition on the Purchase of Unmanned Aircraft Manufactured or Assembled by a Covered Foreign**

### **72-10-1201 Definitions.**

As used in this part:

- (1) "Covered foreign entity" means an individual, foreign government, or party:
  - (a) on the Consolidated Screening List or Entity List as designated by the United States Secretary of Commerce;
  - (b) domiciled in the People's Republic of China or the Russian Federation;
  - (c) under the influence or control of the government of the People's Republic of China or the Russian Federation; or
  - (d) that is a subsidiary or affiliate of an individual, government, or party described in Subsections (1)(a) through (c).

- (2) "Critical infrastructure" means the same as that term is defined in Section 76-6-106.3.
- (3) "Political subdivision" means the same as that term is defined in Section 11-55-102.
- (4) "Public entity" means the state of Utah, a political subdivision, or any department, division, commission, or other governmental entity created by the Utah Constitution or law.

Enacted by Chapter 483, 2024 General Session

**72-10-1202 Prohibition on the purchase of unmanned aircraft manufactured or assembled by a covered foreign entity.**

- (1) Except as provided in Subsection (2), a public entity or contractor working directly for a public entity may not purchase or operate an unmanned aircraft system for the inspection of critical infrastructure if the unmanned aircraft system was manufactured or assembled by a covered foreign entity.
- (2) Regardless of the country of origin of manufacture or assembly of an unmanned aircraft system, a public entity or contractor working directly for a public entity may operate an unmanned aircraft system for the inspection of critical infrastructure if the public entity ensures that:
  - (a) the unmanned aircraft system is not connected to the Internet during the inspection operation;
  - (b) after the inspection operation is complete, any data collected from the inspection, including any images, video, data, geospatial data, or flight logs, are removed before the unmanned aircraft system is connected to the Internet; and
  - (c) if the inspection operation requires the broadcast of video from the unmanned aircraft system through an Internet connection, the relevant software for the unmanned aircraft system is developed in the United States or approved under the National Defense Authorization Act enacted for the most recent fiscal year.

Enacted by Chapter 483, 2024 General Session

**Part 13**  
**Spaceport Exploration Committee**

**72-10-1301 Definitions.**

As used in this part:

- (1) "Committee" means the Spaceport Exploration Committee created in Section 72-10-1302.
- (2) "Spaceport feasibility study" means a study to determine the feasibility of establishing a spaceport and that includes:
  - (a) a market analysis that evaluates the demand for space launch services, including potential government, commercial, and international customers and competitors;
  - (b) an economic impact assessment that analyzes the projected economic benefits of developing a spaceport, including job creation, local business growth, revenue generation, and an analysis of projected customers that could use the spaceport;
  - (c) a business case that describes how the spaceport could meet customer needs and attract private financing for the spaceport;
  - (d) detailed cost estimates for construction, operation, and maintenance of a spaceport, including infrastructure, technology, and human resources;

- (e) consideration of the activities at the spaceport that the committee identifies the spaceport should support; and
  - (f) in consultation with the Utah National Guard and the Utah Test and Training Range, an assessment of opportunities to leverage military airspace and infrastructure and uses the military might have for a spaceport.
- (3) "Spaceport siting assessment" means an assessment that is informed by the results of a spaceport feasibility study to determine potential locations for a spaceport that includes an analysis of:
- (a) the extent to which the site can accomplish the spaceport objectives that the committee identifies;
  - (b) geographic and environmental considerations, including the site's size, location, and environmental impact;
  - (c) whether the site is remote enough to minimize risk to populated areas and complies with environmental regulations;
  - (d) infrastructure needs, including existing infrastructure and upgrades needed to support spaceport resources including launchpads, control centers, roads, utilities, and facilities;
  - (e) potential sources of significant infrastructure upgrades;
  - (f) accessibility, including consideration for the site's accessibility for transportation and logistics;
  - (g) connections to major highways, airports, and ports;
  - (h) regulatory compliance with applicable federal law, including regulations from the Federal Aviation Administration and Environmental Protection Agency;
  - (i) resources the state may leverage for a particular site, including tax benefits, land ownership, land use authority, and regulatory benefits;
  - (j) whether the site preserves the viability of the Utah Test and Training Range and all Department of Defense missions in the state;
  - (k) the existing uses and needs of Utah airspace, including for an international airport in a county of the first class; and
  - (l) activities that the committee identifies that the spaceport should support.
- (4) "Supported activities" means the types of activities that could occur at a spaceport including:
- (a) satellite launches;
  - (b) scientific missions;
  - (c) national defense missions;
  - (d) commercial space flights;
  - (e) space exploration;
  - (f) reentry operations;
  - (g) space cargo and resupply missions;
  - (h) space tourism; and
  - (i) space industry research and development.

Amended by Chapter 57, 2026 General Session

**72-10-1302 Spaceport Exploration Committee creation.**

- (1) There is created the Spaceport Exploration Committee, comprising of the following members:
- (a) two members of the Senate, whom the president of the Senate appoints;
  - (b) two members of the House of Representatives, whom the speaker of the House of Representatives appoints;
  - (c) the executive director of the department or the executive director's designee;
  - (d) the executive director of the Utah Inland Port Authority created in Section 11-58-201;

- (e) the president, or the president's designee, of a nonprofit organization owned by Utah State University that is a University Affiliated Research Center that specializes in aerospace technology, missions, and defense;
  - (f) two liaisons from local military organizations, whom the co-chairs jointly appoint;
  - (g) the president of the state's largest aerospace and defense industry group as certified by the executive director of the department;
  - (h) the executive director of an international airport within a county of the first class, or the executive director's designee; and
  - (i) four members whom the governor appoints.
- (2) The following shall co-chair the committee:
- (a) a committee member that is a legislator described in Subsection (1)(a) or (1)(b) whom the speaker of the House of Representatives and the president of the Senate jointly designate; and
  - (b) a committee member whom the governor selects.
- (3) When a vacancy occurs in the membership for any reason, the appointing authority or qualification described in Subsection (1) applies to the replacement in the same manner as the filling of the original position.
- (4) A majority of members of the committee constitutes a quorum.
- (5) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses as allowed in:
- (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance according to Sections 63A-3-106 and 63A-3-107.
- (6) The department shall provide staffing and administrative support to the committee.

Enacted by Chapter 540, 2025 General Session

**72-10-1303 Spaceport Exploration Committee duties.**

- (1) The committee shall:
- (a) establish key objectives that the state should pursue in establishing a spaceport;
  - (b) evaluate the supported activities that would be most feasible for a spaceport in the state;
  - (c) conduct a spaceport feasibility study;
  - (d) conduct a spaceport siting assessment;
  - (e) evaluate the advantages and disadvantages the state has in establishing a spaceport; and
  - (f) make recommendations to the Legislature regarding whether it is in the state's best interest to establish a spaceport.
- (2) The committee may:
- (a) authorize the department to contract with one or more consultants to perform research, analysis, and legal work, or to provide other assistance necessary to accomplish the committee's duties;
  - (b) establish any advisory committees or working groups needed to fulfill the committee's responsibilities;
  - (c) by majority vote, add up to three non-voting committee members; and
  - (d) appoint one or more working groups to advise and assist the committee.
- (3) The committee shall:
- (a) create a report that:
    - (i) details the committee's conclusions on the items described in Subsection (1); and

- (ii) includes recommendations on legislation needed to implement the committee's conclusions;  
and
- (b) report to the Economic Development and Workforce Services Interim Committee and the Transportation Interim Committee no later than November 30, 2026.

Amended by Chapter 57, 2026 General Session