

- 28 72-1-216.1, as enacted by Laws of Utah 2021, Chapter 358
- 29 72-1-303, as last amended by Laws of Utah 2020, Chapter 377
- 30 72-2-126, as last amended by Laws of Utah 2016, Chapter 38
- 31 72-14-102, as last amended by Laws of Utah 2018, Chapter 40
- 32 72-14-103, as enacted by Laws of Utah 2017, Chapter 364
- 33 76-9-308, as enacted by Laws of Utah 2017, Chapter 184

34 ENACTS:

35 72-2-132, Utah Code Annotated 1953



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

38 Section 1. Section 72-1-216.1 is amended to read:

39 **72-1-216.1. State plane operations and advanced air mobility study.**

40 (1) The department shall study:

41 (a) options to improve the operations of the state airplane fleet, including addressing
42 how to make the state airplane fleet operations more self-reliant through:

43 (i) funding the state's plane operations through plane user fees; and

44 (ii) fleet replacement options; and

45 (b) the development and implementation of advanced air mobility in the state,

46 including:

47 (i) identifying current state assets and assets in development that support advanced air
48 mobility;

49 (ii) identifying assets required for full implementation of advanced air mobility;

50 (iii) identifying potential benefits and limitations of implementing advanced air
51 mobility;

52 (iv) the feasibility of options to progress toward implementing a statewide advanced air
53 mobility system, including phasing critical elements; and

54 (v) reviewing infrastructure funding mechanisms employed or under consideration by
55 other states.

56 (2) As part of the department's study under Subsection (1)(a), the department shall

57 **§→ [consider whether to set user fees based on destination rather than an hourly rate.] review**
57a **alternative methods for charging for use of the state airplane fleet, taking into account:**

57b **(a) the per passenger cost;**

57c **(b) downtime and pilot layover and wait time;**

57d **(c) the advantages and disadvantages of an hourly rate;☺**

- 57e **⊕(d) the advantages and disadvantages of a destination rate; and**
- 57f **(e) any other information relevant to identifying the most effective method for charging for**
- 57g **use of the state airplane fleet. ←\$**

58 [~~2~~] (3) The department shall provide a report of the department's findings before

121 (4) (a) Except as provided in Subsection (4)(b), the department shall use funds in the
122 account for:

123 (i) the construction, improvement, operation, and maintenance of publicly used airports
124 in this state;

125 (ii) the payment of principal and interest on indebtedness incurred for the purposes
126 described in Subsection (4)(a);

127 (iii) operation of the division of aeronautics;

128 (iv) the promotion of aeronautics in this state; and

129 (v) the payment of the costs and expenses of the Department of Transportation in
130 administering Title 59, Chapter 13, Part 4, Aviation Fuel, or another law conferring upon it the
131 duty of regulating and supervising aeronautics in this state.

132 (b) The department may use funds in the account for the support of aerial search and
133 rescue operations, provided that no money deposited into the account under Subsection (2)(a)
134 is used for that purpose.

135 (5) (a) Money in the account may not be used by the department for the purchase of
136 aircraft for purposes other than those described in Subsection (4).

137 (b) Money in the account may not be used to provide or subsidize direct operating costs
138 of travel for purposes other than those described in Subsection (4).

139 (6) The Department may not use money in the account to fund:

140 (a) more than 77% of the operations costs related to state owned aircraft in fiscal year

141 Ĥ→ [2022-23] 2023-24 ←Ĥ ;

142 (b) more than 52% of the operations costs related to state owned aircraft in fiscal year

143 Ĥ→ [2023-24] 2024-25 ←Ĥ ;

144 (c) more than 26% of the operations costs related to state owned aircraft in fiscal year

145 Ĥ→ [2024-25] 2025-26 ←Ĥ ;

146 (d) more than 10% of the operations costs related to state owned aircraft in fiscal year

147 Ĥ→ [2025-26] 2026-27 ←Ĥ ; or

148 (e) any operations costs related to state owned aircraft in a fiscal year beginning on or
149 after July 1, Ĥ→ [2026] 2027 ←Ĥ .

150 Section 4. Section 72-2-132 is enacted to read:

151 72-2-132. State Aircraft Restricted Account.