

Senator Wayne A. Harper proposes the following substitute bill:

ADVANCED AIR MOBILITY REVISIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Kay J. Christofferson

LONG TITLE

General Description:

This bill creates a study for the Department of Transportation regarding advanced air mobility.

Highlighted Provisions:

This bill:

► requires the Department of Transportation to study the following items related to advanced air mobility, including:

- vertiport locations and infrastructure;
- implementation strategies of advanced air mobility technologies;
- unmanned traffic management infrastructure; and
- the creation of an advanced air mobility sandbox;

► requires the Department of Transportation to provide a report to the Transportation Interim Committee;

► instructs the Department of Transportation to use existing departmental funds to cover the costs of the study; and

► amends provisions related to preemption of local land use authority pertaining to advanced air mobility.

Money Appropriated in this Bill:



26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **72-14-103**, as last amended by Laws of Utah 2022, Chapter 99

32 ENACTS:

33 **72-1-217**, Utah Code Annotated 1953



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

36 Section 1. Section **72-1-217** is enacted to read:

37 **72-1-217. Department of Transportation study items.**

38 (1) The department shall carry out transportation studies described in this section as
39 resources allow.

40 (2) (a) The department shall study items related to advanced air mobility as described
41 in this Subsection (2).

42 (b) The department shall study vertiport locations and infrastructure, including:

43 (i) identification of suitable locations for vertiport infrastructure and parking
44 infrastructure for vertiports in metropolitan areas;

45 (ii) identification of commuter rail stations that may be suitable for vertiport
46 placement; and

47 (iii) identification of underutilized parking lots and parking structures for vertiport
48 infrastructure placement.

49 (c) The department shall study best practices and implementation of advanced air
50 mobility technologies, including:

51 (i) seeking input through community engagement;

52 (ii) state and local regulations;

53 (iii) unmanned aircraft system traffic management; and

54 (iv) weather reporting and monitoring for advanced air mobility safety.

55 (d) The department shall study unmanned aircraft traffic management infrastructure,
56 including:

- 57 (i) unmanned aircraft system traffic management development, implementation,
58 procedures, policies, and infrastructure; and
- 59 (ii) obtaining a full understanding of unmanned aircraft system traffic management,
60 including:
- 61 (A) designation of airspace for advanced air mobility;
62 (B) creation of geographic categorical areas;
63 (C) identifying the appropriate number and location of advanced air mobility sensors;
64 and
- 65 (D) other state specific details regarding unmanned aircraft system traffic management.
- 66 (e) The department shall study the creation of an advanced air mobility sandbox,
67 including:
- 68 (i) potential locations for the sandbox testing area and desirable attributes of a suitable
69 sandbox location;
- 70 (ii) requirements to create a geographical advanced air mobility testing area and the
71 parameters for the types of technology that may be utilized in the testing area; and
- 72 (iii) testing and studying different types of advanced air mobility transportation of
73 manned and unmanned aerial vehicles, including:
- 74 (A) aerial vehicle size;
75 (B) aerial vehicles that carry cargo, including medical cargo;
76 (C) commercial aerial vehicles; and
77 (D) public transportation aerial vehicles.
- 78 (f) On or before September 30, 2023, the department shall provide a report to the
79 Transportation Interim Committee of the department's findings from the study items described
80 in Subsections (2)(b) through (2)(e).
- 81 (g) The department may only use existing funds to cover the expenses incurred from
82 the study of items described in Subsections (2)(b) through (2)(e).

83 Section 2. Section **72-14-103** is amended to read:

84 **72-14-103. Preemption of local ordinance.**

- 85 (1) A political subdivision of the state, or an entity within a political subdivision of the
86 state, may not enact a law, ordinance, or rule governing the private use of an unmanned aircraft
87 or the private use of an advanced air mobility system, unless:

88 (a) authorized by this chapter; or

89 (b) the political subdivision or entity is an airport operator that enacts the law, rule, or
90 ordinance to govern:

91 (i) the operation of an unmanned aircraft or an advanced air mobility system within the
92 geographic boundaries of the airport over which the airport operator has authority; or

93 (ii) the takeoff or landing of an unmanned aircraft or an aircraft operated as part of an
94 advanced air mobility system at the airport over which the airport operator has authority.

95 ~~H→ [(2) A political subdivision:~~

96 ~~—— (a) may not exercise zoning and land use authority to grant or permit an exclusive right~~
97 ~~to one or more vertiport owners or operators; and~~

98 ~~—— (b) shall use such authority to promote reasonable access to advanced air mobility~~
99 ~~operators at public-use vertiports within the jurisdiction of the subdivision.]~~

99a **(2) A political subdivision may not enter into an agreement to grant or permit an exclusive**
99b **right to one or more vertiport owners or operators.** ←H

100 [(2)] (3) This chapter supersedes any law, ordinance, or rule enacted by a political
101 subdivision of the state before July 1, 2017.