

2nd Sub. S.B. 135

ADVANCED AIR MOBILITY AND AERONAUTICS AMENDMENTS

Representative **Kay J. Christofferson** proposes the following amendments:

1. Page 42, Line 1295 through Page 43, Line 1313:

1295 Part 11. Navigable Airspace Leasing
1296 72-10-1101. Navigable airspace leasing.
1297 (1) A highway authority may ~~{lease}~~ **enter into a non-exclusive lease agreement for the use**
1298 **of** the navigable airspace above a highway for private
1299 purposes:
1299 (a) for such period as the highway authority determines the navigable airspace will not
1300 be needed for public purposes; and
1301 (b) upon other terms and conditions the highway authority finds to be in the public
1302 interest.
1303 (2) Before leasing navigable airspace, a highway authority shall:
1304 = **(a) ensure that the agreement described in Subsection (1) is consistent with Federal Aviation**
1305 **Administration requirements;**
1306 ~~{(a)}~~ **(b)** notify the property owners abutting the relevant navigable airspace ~~{proposed to~~
1307 **be**
1308 **leased}** **affected by the agreement** ; and
1309 ~~{(b)}~~ **(c)** provide the property owners abutting the relevant navigable airspace ~~{proposed~~
1310 **to be**
1311 **leased}** **affected by the agreement** with an opportunity to be heard with respect to the proposed
1312 **{navigable airspace leasing}** **agreement** .
1313 (3) After satisfying the requirements of Subsection (2), the highway authority shall
1314 determine whether the ~~{lease of the navigable airspace will not}~~ **agreement described in Subsection**
1315 **(1) will** unreasonably interfere with the
1316 public use and utility of the highway and is in the public interest.
1317 (4) ~~{The lease of navigable airspace above a highway for private purposes}~~ **An agreement**
1318 **described in Subsection (1)** does not
1319 affect the dedication of the highway under Section 72-5-104.
1320 Section 16. Section **72-10-1201** is enacted to read: