

House File 2124 - Introduced

HOUSE FILE 2124

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 548)

A BILL FOR

- 1 An Act relating to airport registration and site approval by
- 2 the department of transportation.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 328.19, subsection 1, Code 2022, is
2 amended to read as follows:

3 ~~1.~~ The department shall promulgate rules pursuant to
4 ~~the provisions of~~ chapter 17A governing the issuance by the
5 department of certificates of registration to all airports
6 in this state which are open for use by the public and
7 governing the annual renewal of those certificates. These
8 rules shall require that an airport applying for a certificate
9 of registration or for a renewal shall comply with minimum
10 standards of safety as promulgated by the department,
11 ~~adopt safe air traffic patterns, and demonstrate that such~~
12 ~~air traffic patterns are safely coordinated with those of~~
13 ~~all existing airports and approved airport sites in its~~
14 ~~vicinity before the certificates~~ certificate of registration
15 or certificate of renewal may be issued. Certificates of
16 registration or renewal may be issued subject to any conditions
17 the department deems necessary to carry out the purposes of
18 this section. The department may, after notice and opportunity
19 for hearing as provided in chapter 17A, revoke any certificate
20 of registration or renewal, or may refuse to issue a renewal,
21 ~~when it~~ the department determines that any of the following
22 have occurred:

23 ~~a. 1. That there~~ The airport has been an abandonment of the
24 ~~airport as such;~~ abandoned.

25 ~~b. 2. That there has been a failure to comply~~ The
26 airport is no longer in compliance with the conditions of the
27 registration or renewal ~~thereof;~~ or.

28 ~~c. 3. That because of~~ A change of in physical or legal
29 conditions or circumstances ~~the airport~~ has ~~become~~ made the
30 airport either unsafe or unusable for the aeronautical purposes
31 for which the registration or renewal was issued.

32 Sec. 2. Section 328.19, subsections 2, 3, 4, and 5, Code
33 2022, are amended by striking the subsections.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 Under current law, the department of transportation (DOT) is
3 required to promulgate rules regarding the issuance and renewal
4 of certificates of registration to airports which are open for
5 public use. The rules must require that an airport applying
6 for a certificate of registration or for a renewal must comply
7 with minimum standards of safety as promulgated by the DOT,
8 adopt safe air traffic patterns, and demonstrate that such
9 air traffic patterns are safely coordinated with those of all
10 existing airports and approved airport sites in its vicinity.

11 This bill strikes the requirement that the DOT's rules
12 ensure the airport adopts safe air traffic patterns and
13 demonstrates that such air traffic patterns are safely
14 coordinated, as those matters are currently handled by the
15 federal aviation administration.

16 The bill also strikes the following: the requirement that
17 the DOT promulgate rules governing the issuance of certificates
18 of airport site approval, which under current law provide that
19 any person or governmental subdivision desiring or planning to
20 construct or establish an airport must obtain a certificate
21 of site approval prior to acquiring the site or prior to the
22 construction or establishment of the airport; the requirement
23 that the DOT charge a reasonable site safety inspection fee for
24 the issuance of a certificate of site approval; the requirement
25 that the DOT investigate whether the site is adequate for the
26 proposed airport, whether such proposed airport will conform
27 to minimum standards of safety, and whether safe air traffic
28 patterns are established for the proposed airport and safely
29 coordinated; provisions governing when a certificate of site
30 approval remains in effect; a prohibition against requiring a
31 certificate of site approval for an existing airport; and an
32 authorization for the DOT to hold a related hearing.

33 The bill makes miscellaneous organizational and language
34 changes to enhance readability and conform to current style.