

ENGROSSED HOUSE AMENDMENTS  
TO  
ENGROSSED SENATE BILL NO. 294

By: Mickle of the Senate

and

Dunegan of the House

An Act relating to aircraft and airports; amending 3 O.S. 1991, Section 253, as amended by Section 9, Chapter 363, O.S.L. 1994 (3 O.S. Supp. 1998, Section 253), which relates to aircraft registration; correcting language; and providing an effective date.

AMENDMENT NO. 1. Page 1, lines 7 through 9, strike the title to read

"( aircraft and airports - amending 3 O.S., Section  
253 - aircraft registration -  
effective date )"

AMENDMENT NO. 2. Page 1, line 12, strike the enacting clause

AMENDMENT NO. 3. Page 2, line 5½, insert a new Section 2 to read

"SECTION 2. AMENDATORY 3 O.S. 1991, Section 102.1, as amended by Section 7, Chapter 181, O.S.L. 1995 (3 O.S. Supp. 1998, Section 102.1), is amended to read as follows:

Section 102.1 ~~(1)~~ A. In order to prevent the erection of structures dangerous to air navigation, subject to the provisions of subsections ~~(2)~~ B, ~~(3)~~ C and ~~(4)~~ D of this section, each person shall secure from the local airport zoning authority, or in the absence of a local airport zoning authority, the Oklahoma Aeronautics Commission, a permit for the erection, alteration, or modification of any structure the result of which would exceed the federal obstruction standards as contained in 14 CFR, Part 77. Permits from the local airport zoning authority will be required

only within an airport hazard area where federal standards are exceeded and if the proposed construction is within:

~~(a)~~ 1. A 10-nautical mile radius of the geographical center of a publicly owned or operated airport, a military airport, or an airport open for public use which has a published instrument approach procedure;

~~(b)~~ 2. A 6-nautical mile radius of the geographical center of a publicly owned or operated airport, a military airport, or an airport open for public use which has no published instrument approach procedure and has runways in excess of three thousand two hundred (3,200) feet in length; or

~~(c)~~ 3. A 2.5-nautical mile radius of the geographical center of a publicly owned or operated airport, a military airport, or an airport open for public use which has no published instrument approach and has runways three thousand two hundred (3,200) feet or less in length.

~~(2)~~ B. Affected airports will be considered as having those facilities which are programmed in the Federal Aviation Administration's Regional Aviation System Plan and will be so protected.

~~(3)~~ C. Permit requirements of subsection ~~(1)~~ A of this section shall not apply to projects which received construction permits from the Federal Communications Commission for structures exceeding federal obstruction standards prior to May 20, 1975; nor shall it apply to previously approved structures now existing, or any necessary replacement or repairs to such existing structures, so long as the height and location is unchanged.

~~(4)~~ D. In determining whether to issue or deny a permit, the local airport zoning authority shall consider:

~~(a)~~ 1. The nature of the terrain and height of existing structures;

~~(b)~~ 2. Public and private interests and investments;

~~(e)~~ 3. The character of flying operations and planned developments of airports;

~~(d)~~ 4. Federal airways as designated by the Federal Aviation Administration that lie within the radii described in paragraphs (a) through ~~(e)~~ 3 of subsection ~~(1)~~ A of this section;

~~(e)~~ 5. Whether the construction of the proposed structure would cause an increase in the minimum descent altitude or the decision height at the affected airport;

~~(f)~~ 6. Technological advances;

~~(g)~~ 7. The safety of persons on the ground and in the air; and

~~(h)~~ 8. Land use density."

and renumber subsequent section

and when the title is restored, amend accordingly

Passed the House of Representatives the 5th day of April, 1999.

\_\_\_\_\_  
Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
President of the Senate