

1 ENGROSSED SENATE  
2 BILL NO. 930

By: Rosino of the Senate

3 and

4 Baker of the House

5  
6 An Act relating to the Oklahoma Aeronautics  
7 Commission; amending 3 O.S. 2021, Section 85, which  
8 relates to powers and duties of Commission; modifying  
9 authority to administer certain education programs;  
10 authorizing Commission to accept certain monies for  
11 related to certain education programs; and providing  
12 an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 3 O.S. 2021, Section 85, is  
15 amended to read as follows:

16 Section 85. A. The Oklahoma Aeronautics Commission and its  
17 Director acting under its authority is empowered and directed to  
18 encourage, foster, and assist in the development of aeronautics in  
19 this state and to encourage the establishment of airports and air  
20 navigation facilities. It shall cooperate with and assist the  
21 federal government, the municipalities of this state, and other  
22 persons in the development of aeronautics, and shall seek to  
23 coordinate the aeronautical activities of these bodies and persons.  
24 Municipalities are authorized to cooperate with the Commission in

1 the development of aeronautics and aeronautical facilities in this  
2 state.

3 B. The Commission may organize and administer ~~a voluntary~~  
4 ~~program of air-age education~~ an aerospace and aviation education  
5 program in cooperation with the schools, colleges, and for the  
6 general public, and may prepare and conduct voluntary flight clinics  
7 for airmen and issue such bulletins and publications as may be  
8 required. This program shall be known and may be cited as the  
9 "AeroSPACE Program" or "Aero Student Pathways for Aerospace Careers  
10 and Education". This program shall be a partnership with primary,  
11 secondary, career technology, and higher education providers to  
12 respond to the workforce needs of the aviation and aerospace  
13 industry by promoting and organizing quality curriculum, enhanced  
14 classroom instruction, and research-based educational programs. The  
15 AeroSPACE Program shall collaborate with industry and act as the  
16 facilitator for the collection and sharing of information,  
17 development and implementation of activities, and the dissemination  
18 of resources concerning aerospace education with the primary goal  
19 being to establish a common statewide strategy for implementing  
20 aerospace educational curriculum initiatives to better prepare  
21 students for an aviation and aerospace career. The Oklahoma  
22 Aeronautics Commission may employ established program processes or  
23 contract with other qualified entities to operate the AeroSPACE  
24 Program. The Oklahoma Aeronautics Commission may accept funding

1 that includes, but is not limited to, donations, contractual  
2 arrangements, in-kind services, federal or state appropriations, and  
3 grants.

4 C. The Commission shall assist in all aeronautical matters  
5 related to emergency management actions in conformance with federal  
6 directions and with the Emergency Operations Plan of the state.

7 D. The Commission may establish air markers throughout the  
8 state.

9 E. The Commission may purchase and install roadside signs  
10 directing highway traffic to airports, subject to approval of the  
11 State Transportation Commission.

12 F. The Commission shall:

13 1. Draft and recommend necessary legislation to advance the  
14 interests of the state in aeronautics;

15 2. Represent the state in aeronautical matters before federal  
16 agencies and other state agencies; and

17 3. Participate as party plaintiff or defendant or as intervener  
18 on behalf of the state or any municipality or citizen thereof in any  
19 proceeding which involves the interest of the state in aeronautics.

20 G. 1. The Commission may, insofar as is reasonably possible,  
21 make available its engineering and other technical services to any  
22 municipality or person desiring them in connection with the  
23 planning, acquisition, construction, improvement, maintenance, or  
24 operation of airports or navigation facilities.

1        2. The Commission may render financial assistance by grant or  
2 loan or both to any municipality or municipalities acting jointly in  
3 the planning, acquisition, construction, improvement, maintenance,  
4 or operation of an airport owned or controlled, or to be owned or  
5 controlled, by such municipality or municipalities, out of  
6 appropriations or other monies made available by the Legislature for  
7 such purposes. Such financial assistance may be furnished in  
8 connection with federal or other financial aid for the same  
9 purposes.

10       3. The Commission shall be designated as the agent of this  
11 state or political subdivision of this state for the purpose of  
12 applying for, receiving, administering and disbursing federal funds  
13 and other public monies for the benefit of general aviation  
14 airports, except reliever airports, as may be available under  
15 applicable federal law or other laws. If requested by a political  
16 subdivision, the Commission may act as its or their agent in  
17 contracting for and supervising such planning, acquisition,  
18 construction, improvement, maintenance, or operation; and all  
19 political subdivisions are authorized to designate the Commission as  
20 their agent for the foregoing purposes. The Commission, as  
21 principal on behalf of the state, may enter into any contracts with  
22 the United States or with any person, which may be required in  
23 connection with a grant or loan of federal monies for municipal  
24 airport or air navigation facility purposes. All federal monies

1 accepted under this section shall be accepted and transferred or  
2 expended by the Commission upon such terms and conditions as are  
3 prescribed by the United States. All monies received by the  
4 Commission pursuant to this section shall be deposited in the  
5 Oklahoma Aeronautics Commission Fund in the State Treasury and shall  
6 be paid out by the Commission in accordance with the terms and  
7 conditions of any agreement entered into under the provisions of  
8 this section.

9       H. 1. The Commission is authorized on behalf of and in the  
10 name of the state, out of appropriations and other monies made  
11 available for such purposes, to plan, zone, establish, construct,  
12 enlarge, improve, maintain, equip, operate, regulate, protect, and  
13 police airports and air navigation facilities, either within or  
14 without the state, including the construction, installation,  
15 equipping, maintenance, and operation at such airports of buildings  
16 and other facilities for the servicing of aircraft or for the  
17 comfort and accommodation of air travelers. However, the regulatory  
18 authority shall not extend to any airman employed by, nor to any  
19 aeronautics facility or aircraft under the exclusive possession,  
20 operation, or control of, a person holding a certificate of public  
21 convenience and necessity issued by any agency of the United States  
22 to operate as a common carrier by air of persons and/or property in  
23 interstate commerce. For such purposes the Commission may, by  
24 purchase, gift, devise, or lease, acquire property, real or

1 personal, or any interest therein including easements in  
2 aeronautical hazards or land outside the boundaries of an airport or  
3 airport site, as are necessary to permit safe and efficient  
4 operation of the state airports or to permit the removal,  
5 elimination, obstruction-marking or obstruction-lighting of airport  
6 hazards, or to prevent the establishment of airport hazards. In  
7 like manner the Commission may acquire existing airports and air  
8 navigation facilities. However, the Commission shall not acquire or  
9 take over any airport or air navigation facility owned or controlled  
10 by a municipality of this or any other state without the consent of  
11 such municipality. The Commission may, by sale, lease, or  
12 otherwise, dispose of any such property, airport, air navigation  
13 facility, or portion thereof or interest therein. The disposal, by  
14 sale, lease, or otherwise, shall be in accordance with the laws of  
15 this state governing the disposition of other property of the state,  
16 except that, in the case of disposals to any municipality or state  
17 government or the United States for aeronautical purposes incident  
18 thereto, the sale, lease, or other disposal may be effected in such  
19 manner and upon such terms as the Commission may deem in the best  
20 interest of the state.

21 2. All airports owned by the state shall be within the primary  
22 jurisdiction of the Oklahoma Aeronautics Commission for purposes of  
23 design, development, and operation; provided, that airports owned  
24 and operated by the Oklahoma Space Industry Development Authority

1 shall be exempt from such provisions, and during the time of a  
2 national emergency, the Air National Guard shall be exempt from such  
3 provisions, and provided further, that any airport owned by the  
4 state may be leased by the Commission to a public or private agency,  
5 as it may deem fit.

6 3. Nothing contained in the Oklahoma Aeronautics Commission Act  
7 shall be construed to limit any right, power, or authority of the  
8 state or a municipality to regulate airport hazards by zoning.

9 4. The Commission may exercise any powers granted by this  
10 section jointly with any municipalities or with the United States.

11 5. a. In operating an airport or air navigation facility  
12 owned or controlled by the state, the Commission may  
13 enter into contracts, leases, and other arrangements  
14 for a term not exceeding twenty-five (25) years with  
15 any persons granting the privilege of using or  
16 improving such airport or air navigation facility or  
17 any portion or facility thereof or space therein for  
18 commercial purposes; conferring the privilege of  
19 supplying goods, commodities, things, services, or  
20 facilities at such airport or air navigation facility;  
21 or making available services to be furnished by the  
22 Commission or its agents at such airport or air  
23 navigation facility.  
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1 In each such case the Commission may establish the  
2 terms and conditions and fix the charges, rentals, or  
3 fees for the privileges or services, which shall be  
4 reasonable and uniform for the same class of  
5 privileges or services and shall be established with  
6 due regard to the property and improvements used and  
7 the expenses of operation to the state; provided, that  
8 in no case shall the public be deprived of its  
9 rightful, equal, and uniform use of the airport, air  
10 navigation facility or portion or facility thereof.

11 b. The Commission may by contract, lease, or other  
12 arrangement, upon a consideration fixed by it, grant  
13 to any qualified person for a term not to exceed  
14 twenty-five (25) years the privilege of operating, as  
15 agent of the state or otherwise, any airport owned or  
16 controlled by the state; provided, that no such person  
17 shall be granted any authority to operate the airport  
18 other than as a public airport or to enter into any  
19 contracts, leases, or other arrangements in connection  
20 with the operation of the airport which the Commission  
21 might not have undertaken under subparagraph a of this  
22 paragraph.

23 c. To enforce the payment of any charges for repairs to,  
24 or improvements, storage, or care of, any personal



1 property made or furnished by the Commission or its  
2 agents in connection with the operation of an airport  
3 or air navigation facility owned or operated by the  
4 state, the state shall have liens on such property,  
5 which shall be enforceable by the Commission as  
6 provided by law.

7 6. In accepting federal monies under this section, the  
8 Commission shall have the same authority to enter into contracts on  
9 behalf of the state as is granted to the Commission under paragraph  
10 3 of subsection G of this section with respect to federal monies  
11 accepted on behalf of municipalities. All monies received by the  
12 Commission pursuant to this section shall be deposited in the  
13 Oklahoma Aeronautics Commission Fund in the State Treasury and shall  
14 be paid out of the Commission Fund in accordance with the terms and  
15 conditions of any agreement entered into under the provisions of  
16 this section.

17 7. The Commission shall grant no exclusive right for the use of  
18 any airport or air navigation facility under its jurisdiction. This  
19 shall not be construed to prevent the making of contracts, leases,  
20 and other arrangements pursuant to paragraph 5 of this subsection.

21 I. The Commission may enter into any contracts necessary to the  
22 execution of the powers granted it by the Oklahoma Aeronautics  
23 Commission Act. All contracts made by the Commission, either as the  
24 agent of the state or as the agent of any municipality, shall be

1 made pursuant to the laws of the state governing the making of like  
2 contracts. When the planning, acquisition, construction,  
3 improvement, maintenance, or operation of any airport or air  
4 navigation facility is financed wholly or partially with federal  
5 monies, the Commission as agent of the state or of any municipality  
6 may let contracts in the manner prescribed by the federal  
7 authorities acting under the laws of the United States and any rules  
8 or regulations made thereunder.

9 J. 1. The Commission, the Director, or any officer or employee  
10 of the Commission designated by it shall have the power to hold  
11 investigations, inquiries, and hearings concerning matters covered  
12 by the provisions of the Oklahoma Aeronautics Commission Act and the  
13 rules, regulations, and orders of the Commission. Hearings shall be  
14 open to the public and shall be held upon such call or notice as the  
15 Commission shall deem advisable. Each member of the Commission, the  
16 Director, and every officer or employee of the Commission designated  
17 by it to hold any inquiry, investigation, or hearing shall have the  
18 power to administer oaths and affirmations, certify to all official  
19 acts, issue subpoenas, and order the attendance and testimony of  
20 witnesses and the production of papers, books, and documents. In  
21 case of the failure of any person to comply with any subpoena or  
22 order issued under the authority of this subsection, or on the  
23 refusal of any witness to testify to any matters regarding which he  
24 may be lawfully interrogated, it shall be the duty of the district

1 court of any county or of the judge thereof, on application of the  
2 Commission or its authorized representative, to compel obedience by  
3 proceedings for contempt, as in the case of disobedience of the  
4 requirements of a subpoena issued from such court or a refusal to  
5 testify therein.

6 2. In order to facilitate the making of investigations by the  
7 Commission in the interest of public safety and promotion of  
8 aeronautics the public interest requires, and it is therefore  
9 provided, that the reports of investigations or hearings, or any  
10 part thereof, shall not be admitted in evidence or used for any  
11 purpose in any suit, action, or proceeding growing out of any matter  
12 referred to in the investigation, hearing, or report thereof, except  
13 in case of any suit, action, or proceeding, civil or criminal,  
14 instituted by or in behalf of the Commission or in the name of the  
15 state under the provisions of the Oklahoma Aeronautics Commission  
16 Act or other laws of the state relating to aeronautics; nor shall  
17 any member of the Commission, or the Director, or any officer or  
18 employee of the Commission be required to testify to any facts  
19 ascertained in, or information gained by reason of, such person's  
20 official capacity, or be required to testify as an expert witness in  
21 any suit, action, or proceeding involving any aircraft. Subject to  
22 the foregoing provisions, the Commission may in its discretion make  
23 available to appropriate federal, state and municipal agencies

1 information and material developed in the course of its  
2 investigations and hearings.

3 K. 1. The Commission is authorized to confer with or to hold  
4 joint hearings with any agency of the United States in connection  
5 with any matter arising under the Oklahoma Aeronautics Commission  
6 Act or relating to the sound development of aeronautics.

7 2. The Commission is authorized to avail itself of the  
8 cooperation, services, records, and facilities of the agencies of  
9 the United States as fully as may be practicable in the  
10 administration and enforcement of the Oklahoma Aeronautics  
11 Commission Act. The Commission shall furnish to the agencies of the  
12 United States its cooperation, services, records, and facilities,  
13 insofar as may be practicable.

14 3. The Commission shall report to the appropriate agency of the  
15 United States all accidents in aeronautics in this state of which it  
16 is informed and shall, insofar as is practicable, preserve, protect,  
17 and prevent the removal of the component parts of any aircraft  
18 involved in an accident being investigated by it until the federal  
19 agency institutes an investigation.

20 L. The Commission may organize and administer an aerospace  
21 education program in cooperation with universities, colleges and  
22 schools for the general public. The Commission may also plan and  
23 act jointly in a cooperative aviation research or high technology  
24

1 program. As part of these programs, the Commission may issue  
2 aviation communication films and publications.

3 M. The Commission shall administer an airport inspection  
4 program for all public-use airports within the State of Oklahoma.  
5 The inspection program shall occur on a three-year cycle and shall  
6 be administered by the Oklahoma Aeronautics Commission. Airport  
7 owners, including individuals and municipalities, shall provide  
8 access to airport facilities for conducting the inspections. The  
9 Commission shall provide a written report to each public-use airport  
10 detailing the findings of such inspections.

11 SECTION 2. This act shall become effective November 1, 2023.

12 Passed the Senate the 2nd day of March, 2023.

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Presiding Officer of the Senate

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16 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
17 2023.

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Presiding Officer of the House  
of Representatives

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