

1 **SENATE FLOOR VERSION**

2 April 14, 2025

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 2266

By: Miller and Menz of the
House

and

Rosino of the Senate

8
9 An Act relating to aerospace; amending 3 O.S. 2021,
10 Section 101, which relates to definitions; defining
11 terms; amending 3 O.S. 2021, Section 102.1, as
12 amended by Section 12, Chapter 126, O.S.L. 2023 (3
13 O.S. Supp. 2024, Section 102.1), which relates to
14 permits for erection, alteration, or modification of
15 certain structures; modifying list requiring certain
16 permit; requiring certain airports be included in
17 statewide airport system plan; modifying certain list
18 of considerations; amending 3 O.S. 2021, Section 421,
19 as last amended by Section 15, Chapter 135, O.S.L.
20 2024 (3 O.S. Supp. 2024, Section 421), which relates
21 to Department of Aerospace and Aeronautics
22 established as clearinghouse for unmanned aircraft
23 systems; requiring implementation of certain
24 strategy; authorizing certain actions; authorizing
certain partnerships; and providing an effective
date.

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

SECTION 1. AMENDATORY 3 O.S. 2021, Section 101, is
amended to read as follows:

Section 101. As used in this act, unless the context otherwise
requires:

1 ~~(1)~~ 1. "Airport" means an area of land or water that is used or
2 intended to be used for the landing and taking off of aircraft
3 including its buildings and facilities, if any~~;~~;
4 ~~(2)~~ 2. "Airport hazard" means any structure, object of natural
5 growth or use of land which obstructs the airspace required for the
6 flight of aircraft in landing or taking off at an airport or is
7 otherwise hazardous to such landing or taking off of aircraft~~;~~;
8 ~~(3)~~ 3. "Airport hazard area" means any area of land or water
9 upon which an airport hazard might be established if not prevented
10 as provided in this act~~;~~;
11 ~~(4)~~ 4. "Helipport" means an area of land, water, or structure
12 used or intended to be used for the landing and takeoff of
13 helicopters and includes its buildings and facilities;
14 5. "Political subdivision" means any municipality, city, town,
15 village, or county~~;~~;
16 ~~(5)~~ 6. "Person" means any individual, firm, copartnership,
17 corporation, company, association, joint stock association, or body
18 politic, and includes any trustee, receiver, assignee, or other
19 similar representative thereof~~;~~;
20 ~~(6)~~ 7. "Structure" means any object constructed or installed by
21 man, including, but without limitation, buildings, towers,
22 smokestacks, and overhead transmission lines~~;~~;
23 ~~(7)~~ 8. "Tree" means any object of natural growth~~;~~ and
24

1 9. "VTOL aircraft" means an aircraft which has vertical takeoff
2 and landing capability.

3 SECTION 2. AMENDATORY 3 O.S. 2021, Section 102.1, as
4 amended by Section 12, Chapter 126, O.S.L. 2023 (3 O.S. Supp. 2024,
5 Section 102.1), is amended to read as follows:

6 Section 102.1. A. In order to prevent the erection of
7 structures dangerous to air navigation, subject to the provisions of
8 subsections B, C and D of this section, each person shall secure
9 from the local airport zoning authority, or in the absence of a
10 local airport zoning authority, the Oklahoma Department of Aerospace
11 and Aeronautics, a permit for the erection, alteration, or
12 modification of any structure the result of which would exceed the
13 federal obstruction standards as contained in 14 CFR, Part 77.
14 Permits from the local airport zoning authority will be required
15 only within an airport hazard area where federal standards are
16 exceeded and if the proposed construction is within:

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

21 2. A 6-nautical mile radius of the geographical center of a
22 publicly owned or operated airport, a military airport, or an
23 airport open for public use which has no published instrument
24

1 approach procedure and has runways in excess of three thousand two
2 hundred (3,200) feet in length; ~~or~~

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

8 4. A 1-nautical mile radius of the geographic center of a
9 publicly owned or operated heliport or vertiport.

10 B. Affected airports will be considered as having those
11 facilities which are programmed in the Federal Aviation
12 Administration's Regional Aviation System Plan or the Oklahoma
13 Department of Aerospace and Aeronautics' statewide airport system
14 plan and will be so protected.

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

22 D. In determining whether to issue or deny a permit, the local
23 airport zoning authority shall consider:

24 1. The nature of the terrain and height of existing structures;

2. Public and private interests and investments;

3. The character of flying operations and planned developments of airports, vertiports, and heliports;

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

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;

6. Technological advances;

7. The safety of persons on the ground and in the air; and

8. Land use density.

E. In order to promote the health, safety and welfare of the public and to protect persons and property by promoting safety in aeronautics, the Oklahoma Department of Aerospace and Aeronautics may review any structure erected, altered, or modified since January 1, 1996, in which no permit was secured from the local airport zoning authority because of the absence of a local airport authority. The Oklahoma Department of Aerospace and Aeronautics shall determine whether such structures meet the requirements set forth in this section. If the structures do not meet the requirements as set forth in this section, the Oklahoma Department of Aerospace and Aeronautics may request the owners of such structure to make any necessary modifications to protect the health,

1 safety and welfare of the public, including, but not limited to,
2 altering, marking, mapping, or identifying such structure. The
3 Oklahoma Department of Aerospace and Aeronautics may assist the
4 owner of such structure in any manner deemed feasible by the
5 Oklahoma Department of Aerospace and Aeronautics.

6 SECTION 3. AMENDATORY 3 O.S. 2021, Section 421, as last
7 amended by Section 15, Chapter 135, O.S.L. 2024 (3 O.S. Supp. 2024,
8 Section 421), is amended to read as follows:

9 Section 421. A. The Oklahoma Department of Aerospace and
10 Aeronautics is hereby established as the clearinghouse for unmanned
11 aircraft systems (UAS) and advanced air mobility (AAM) in this state
12 and shall be designated as the agency of this state for the
13 promotion, enhancement and development of UAS and AAM as well as any
14 associated infrastructure necessary to ensure the safe integration
15 and use of this new technology within the state. The purpose of
16 this clearinghouse is to create a partnership between those entities
17 that currently operate UAS, those that desire to use this technology
18 in the future and other entities that can support the research and
19 development of UAS to ensure that this state can more effectively
20 respond to the needs of this critical sector of the aviation and
21 aerospace industry. In the operation of this clearinghouse, the
22 Department shall cooperate, assist and coordinate with the federal
23 government, agencies of this state, tribal entities, municipalities
24 and other persons in the development of unmanned aircraft systems

1 throughout the state to ensure the acceptance of this technology and
2 the successful integration of UAS into the National Airspace System.
3 Contingent upon the availability of funds, the Oklahoma Department
4 of Aerospace and Aeronautics may use established program processes
5 or may contract with other qualified entities to carry out the
6 duties and responsibilities of the Unmanned Aircraft Systems
7 Development Act of 2021.

8 B. The primary goal of the clearinghouse within the Department
9 is to establish a central point within state government to develop
10 and implement the strategy for how this state can become a leader in
11 the UAS and AAM industry. It will focus the collective resources,
12 knowledge, information and assets within state government to ensure
13 coordinated efforts amongst all parties. The clearinghouse will
14 have the authority to:

15 1. Conduct research on what other states and localities are
16 doing insofar as their UAS rules and regulations so that it can
17 provide recommendations to ensure this state is in the best position
18 within the industry;

19 2. Organize and coordinate the application for any UAS and AAM
20 test site, integration opportunity, pilot program or grant funding
21 on behalf of this state;

22 3. Maintain a registry of UAS being operated by state agencies,
23 except those UAS that are part of a university-affiliated research
24 program;

1 4. Maintain a registry of educational institutions that offer
2 training programs for users of UAS; ~~and~~

3 5. Investigate the development of, and if necessary, create a
4 statewide system plan that will provide the framework for the
5 construction, development, siting, and potential partnerships
6 required for vertiports and other infrastructure needed to integrate
7 AAM and UAS into the existing air transportation system of the
8 state;

9 6. Develop a statewide network of UAS/AAM detection systems as
10 necessary to support the safe integration of these new technologies
11 into the state's existing air transportation system; and

12 7. Create statewide or regional command/control and radar
13 systems or centers to support paragraph 6 of this subsection and the
14 Department's efforts to bring UAS/AAM testing and development to the
15 state. These systems or centers can be standalone or in partnership
16 with other federal, state, local, tribal, or nonprofit entities.

17 C. The Department is authorized to enter into partnerships with
18 any city or town of this state ~~and~~, any county or political
19 subdivision or district in this state, or any public trust thereof,
20 or any federal government entity for the purpose of investing in and
21 operating infrastructure and any other items necessary to safely and
22 effectively integrate AAM and UAS into the existing air
23 transportation system of this state as well as the testing and
24 development of these aeronautical technologies.

SECTION 4. This act shall become effective November 1, 2025.

COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
April 14, 2025 - DO PASS AS AMENDED