

1 ENGROSSED SENATE  
2 BILL NO. 920

By: Rosino of the Senate

and

Miller of the House

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5  
6 An Act relating to aerospace infrastructure; amending  
7 3 O.S. 2021, Sections 101 and 102.1, as amended by  
8 Section 12, Chapter 126, O.S.L. 2023 (3 O.S. Supp.  
9 2024, Section 102.1), which relate to the Airport  
10 Zoning Act; defining terms; requiring certain permit  
11 for construction within certain radius of a heliport  
12 or vertiport; amending 3 O.S. 2021, Section 421, as  
13 last amended by Section 15, Chapter 135, O.S.L. 2024  
14 (3 O.S. Supp. 2024, Section 421), which relates to  
15 the Oklahoma Department of Aerospace and Aeronautics  
16 as the clearinghouse for unmanned aircraft systems;  
17 granting Oklahoma Department of Aerospace and  
18 Aeronautics certain authority; updating statutory  
19 language; and providing an effective date.

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

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

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

~~(1)~~ 1. "Airport" means an area of land or water that is used or  
intended to be used for the landing and taking off of aircraft  
including its buildings and facilities, if any;i

~~(2)~~ 2. "Airport hazard" means any structure, object of natural  
growth or use of land which obstructs the airspace required for the

1 flight of aircraft in landing or taking off at an airport or is  
2 otherwise hazardous to such landing or taking off of aircraft-;

3 ~~(3)~~ 3. "Airport hazard area" means any area of land or water  
4 upon which an airport hazard might be established if not prevented  
5 as provided in this act-;

6 ~~(4)~~ 4. "Helipport" means an area of land, water, or a structure  
7 used or intended to be used for the landing and takeoff of  
8 helicopters;

9 5. "Political subdivision" means any municipality, city, town,  
10 village, or county-;

11 ~~(5)~~ 6. "Person" means any individual, firm, copartnership,  
12 corporation, company, association, joint stock association, or body  
13 politic, and includes any trustee, receiver, assignee, or other  
14 similar representative thereof-;

15 ~~(6)~~ 7. "Structure" means any object constructed or installed by  
16 man, including, but without limitation, buildings, towers,  
17 smokestacks, and overhead transmission lines-;

18 ~~(7)~~ 8. "Tree" means any object of natural growth-; and

19 9. "VTOL aircraft" means an aircraft which has vertical takeoff  
20 and landing capability.

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

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

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

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

21 3. A 2.5-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  
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1 approach and has runways three thousand two hundred (3,200) feet or  
2 less in length; or

3 4. A 1-nautical mile radius of the geographical center of a  
4 publicly owned or operated heliport or vertiport.

5 B. Affected airports will be considered as having those  
6 facilities which are programmed in the Federal Aviation  
7 Administration's Regional Aviation System Plan or the Oklahoma  
8 Department of Aerospace and Aeronautics' Oklahoma Airport System  
9 Plan and will be so protected.

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

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

- 19 1. The nature of the terrain and height of existing structures;
- 20 2. Public and private interests and investments;
- 21 3. The character of flying operations and planned developments  
22 of airports, heliports, and vertiports;

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

4 5. Whether the construction of the proposed structure would  
5 cause an increase in the minimum descent altitude or the decision  
6 height at the affected airport;

7 6. Technological advances;

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

9 8. Land use density.

10 E. In order to promote the health, safety, and welfare of the  
11 public and to protect persons and property by promoting safety in  
12 aeronautics, the Oklahoma Department of Aerospace and Aeronautics  
13 may review any structure erected, altered, or modified since January  
14 1, 1996, in which no permit was secured from the local airport  
15 zoning authority because of the absence of a local airport  
16 authority. The Oklahoma Department of Aerospace and Aeronautics  
17 shall determine whether such structures meet the requirements set  
18 forth in this section. If the structures do not meet the  
19 requirements as set forth in this section, the Oklahoma Department  
20 of Aerospace and Aeronautics may request the owners of such  
21 structure to make any necessary modifications to protect the health,  
22 safety, and welfare of the public, including, but not limited to,  
23 altering, marking, mapping, or identifying such structure. The  
24 Oklahoma Department of Aerospace and Aeronautics may assist the

1 owner of such structure in any manner deemed feasible by the  
2 Oklahoma Department of Aerospace and Aeronautics.

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

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

1 of funds, the Oklahoma Department of Aerospace and Aeronautics may  
2 use established program processes or may contract with other  
3 qualified entities to carry out the duties and responsibilities of  
4 the Unmanned Aircraft Systems Development Act of 2021.

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

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

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

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

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

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

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

10 7. Create statewide or regional command, control, and radar  
11 systems or centers to carry out the provisions of paragraph 6 of  
12 this subsection and the Department's efforts to bring UAS and AAM  
13 testing and development to the state. These systems or centers can  
14 be stand-alone or in partnership with other federal, state, local,  
15 tribal, or non-profit entities.

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

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



