

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 HOUSE BILL 2266

By: Miller and **Menz** of the
House

5
6 and

7 **Rosino** of the Senate

8
9 AS INTRODUCED

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

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

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

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

3 ~~(1)~~ 1. "Airport" means an area of land or water that is used or
4 intended to be used for the landing and taking off of aircraft
5 including its buildings and facilities, if any.

6 ~~(2)~~ 2. "Airport hazard" means any structure, object of natural
7 growth or use of land which obstructs the airspace required for the
8 flight of aircraft in landing or taking off at an airport or is
9 otherwise hazardous to such landing or taking off of aircraft.

10 ~~(3)~~ 3. "Airport hazard area" means any area of land or water
11 upon which an airport hazard might be established if not prevented
12 as provided in this act.

13 ~~(4)~~ 4. "Heliport" means an area of land, water or structure
14 used or intended to be used for the landing and takeoff of
15 helicopters and includes its buildings and facilities.

16 5. "Political subdivision" means any municipality, city, town,
17 village, or county.

18 ~~(5)~~ 6. "Person" means any individual, firm, copartnership,
19 corporation, company, association, joint stock association, or body
20 politic, and includes any trustee, receiver, assignee, or other
21 similar representative thereof.

22 ~~(6)~~ 7. "Structure" means any object constructed or installed by
23 man, including, but without limitation, buildings, towers,
24 smokestacks, and overhead transmission lines.

1 ~~(7)~~ 8. "Tree" means any object of natural growth.

2 9. "Vertiport" means an area of land, water, or structure used
3 or intended to be used for the landing and takeoff of VTOL aircraft.

4 10. "VTOL aircraft" means an aircraft which has vertical
5 takeoff and landing capability.

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

9 Section 102.1. A. In order to prevent the erection of
10 structures dangerous to air navigation, subject to the provisions of
11 subsections B, C and D of this section, each person shall secure
12 from the local airport zoning authority, or in the absence of a
13 local airport zoning authority, the Oklahoma Department of Aerospace
14 and Aeronautics, a permit for the erection, alteration, or
15 modification of any structure the result of which would exceed the
16 federal obstruction standards as contained in 14 CFR, Part 77.

17 Permits from the local airport zoning authority will be required
18 only within an airport hazard area where federal standards are
19 exceeded and if the proposed construction is within:

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

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

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

11 4. A one-nautical mile radius of the geographic center of a
12 publicly owned or operated heliport or vertiport. Federal
13 obstruction standards include a primary surface which is a
14 horizontal plane at the established heliport or vertiport elevation
15 and that coincides in size and shape with the designated takeoff and
16 landing area, the approach surface which begins at each end of the
17 heliport primary surface with the same width as the primary surface,
18 and extends outward and upward for a horizontal distance of four
19 thousand (4,000) feet where its width is five hundred (500) feet and
20 where the slope of the approach surface is eight (8) to one (1), and
21 the transitional surfaces which extend outward and upward from the
22 lateral boundaries of the primary surface and from the approach
23 surfaces at a slope of two (2) to one (1) for a distance of two
24

1 hundred fifty (250) feet measured horizontally from the centerline
2 of the primary and approach surfaces.

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

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

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

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

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

24

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

4 6. Technological advances;

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

6 8. Land use density.

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

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

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

1 duties and responsibilities of the Unmanned Aircraft Systems
2 Development Act of 2021.

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

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

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

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

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

22 5. Investigate the development of, and if necessary, create a
23 statewide system plan that will provide the framework for the
24 construction, development, siting, and potential partnerships

1 required for vertiports and other infrastructure needed to integrate
2 AAM and UAS into the existing air transportation system of the
3 state;

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

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

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

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

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22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
23 02/26/2025 - DO PASS, As Coauthored.

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