{deleted text} shows text that was in HB0077S01 but was deleted in HB0077S02.

inserted text shows text that was not in HB0077S01 but was inserted into HB0077S02.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative {James A. Dunnigan}Cheryl K. Acton proposes the following substitute bill:

AVIATION LIABILITY INSURANCE AMENDMENTS

2021 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Cheryl K. Acton

Senate	Sponsor:		

LONG TITLE

General Description:

This bill amends provisions related to aircraft liability insurance requirements { and the registration of aircraft}.

Highlighted Provisions:

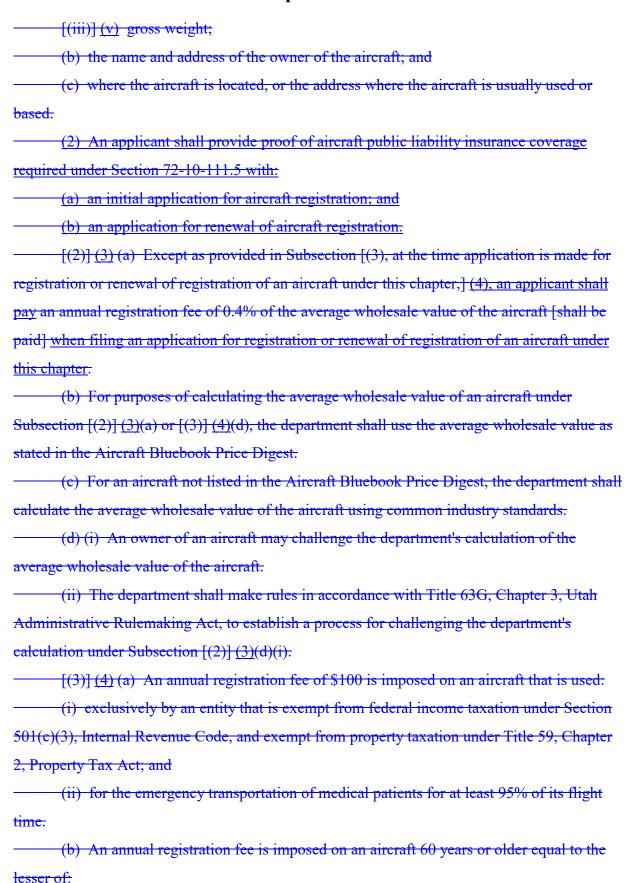
This bill:

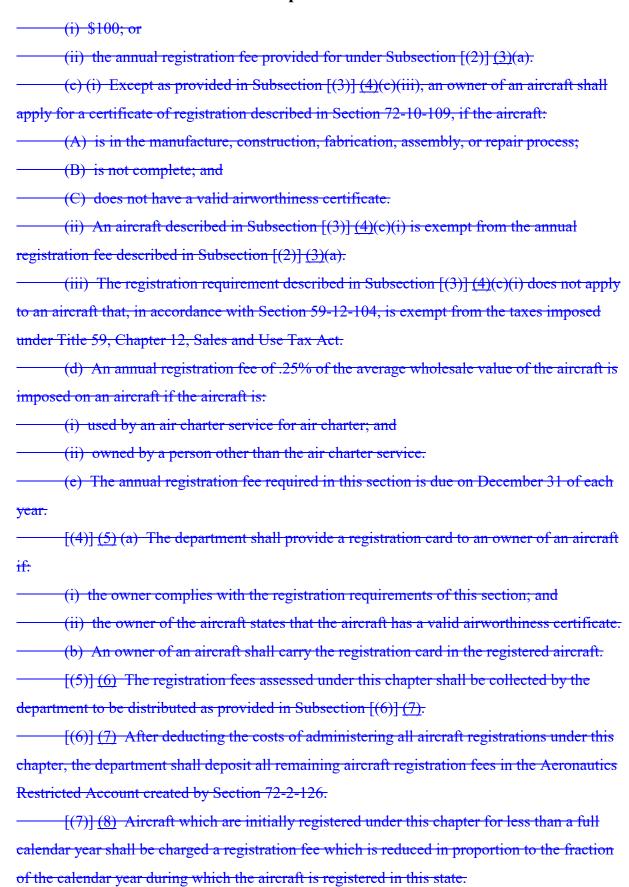
- establishes requirements for aircraft public liability insurance coverage;
- <u>if the aircraft owner is an airport tenant,</u> requires an owner of an aircraft to provide proof of public liability insurance { when registering or renewing the registration of an aircraft}; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses: None **Utah Code Sections Affected:** AMENDS: **31A-22-1300**, as last amended by Laws of Utah 1998, Chapter 270 72-10-110, as last amended by Laws of Utah 2018, Chapter 436 **72-10-117**, as last amended by Laws of Utah 2019, Chapter 431 **ENACTS**: **72-10-111.5.** Utah Code Annotated 1953 *Be it enacted by the Legislature of the state of Utah:* Section 1. Section 31A-22-1300 is amended to read: 31A-22-1300. Aircraft public liability insurance. [Subsections 72-10-117(5) and (6) apply to aircraft liability insurance.] Policies containing aircraft public liability insurance coverage for an aircraft frequired to be registered under Section 72-10-109 } shall include minimum coverage of: (1) \$50,000 per person for bodily injury or death in any one accident; (2) \$50,000 for property damage in any one accident; and (3) \$100,000 in any one accident, whether for property damage, or bodily injury or death. Section 2. Section {72-10-110}72-10-111.5 is {amended to read: 72-10-110. Aircraft registration information requirements -- Registration fee --Administration -- Partial year registration. (1) All applications for aircraft registration shall contain: (a) a description of the aircraft, including: (i) the manufacturer or builder; (ii) the Federal Aviation Administration aircraft registration number[,]; (iii) type[,]; (iv) year of manufacture, or if an experimental aircraft, the year the aircraft was completed and certified for air worthiness by an inspector of the Federal Aviation Administration; and





- [(8)] (9) (a) For purposes of this section, an aircraft based at the owner's airport means an aircraft that is hangared, tied down, or parked at an owner's airport for a plurality of the year.
- (b) Semi-annually, an owner or operator of an airport open to public use, or of an airport that receives grant funding from the state, shall provide a list of all aircraft based at the owner's airport to the department.
- [(9)] (10) The department shall maintain a statewide database of all aircraft based within the state.
- [(10)] (11) The department may suspend or revoke a registration if the department determines that the required fee has not been paid and the fee is not paid upon reasonable notice and demand.
- Section 3. Section 72-10-111.5 is enacted to read:
- 72-10-111.5. Aircraft public liability insurance requirements -- Proof of public liability insurance.
 - (1) An owner required to register an aircraft under Section 72-10-109 shall:
- (a) An aircraft owner shall:
- (1) maintain public liability insurance coverage for the aircraft that conforms to the requirements described in Section 31A-22-1300; and
- ({b) along with the required application for aircraft registration under Section 72-10-110, file with the department proof of the owner's valid public liability insurance coverage for the aircraft.
- (2) An owner of an aircraft may provide proof of aircraft public liability insurance by filing with the department 2) if the aircraft owner is a tenant of a public airport, provide a certificate of insurance issued by an insurer licensed in Utah {that demonstrates there is a} as proof of the owner's valid public liability insurance { policy} covering the aircraft as part of the lease agreement between the aircraft owner and the airport.

Section $\frac{4}{3}$. Section 72-10-117 is amended to read:

- 72-10-117. Aircraft landing permits -- Eligible aircraft -- Special licenses -- Rules -- Proof of insurance -- Bonds.
- (1) (a) The county executive of any county may issue [permits] a permit authorizing an aircraft to land on or take off from designated county roads.
 - (b) [Permits may be issued] The county executive of any county may issue a permit to

an aircraft operated:

- (i) as an air [ambulances] ambulance;
- (ii) as <u>a</u> pesticide [applicators] <u>applicator</u>; or
- (iii) by or under contract with <u>a public [utilities] utility</u> and used in connection with inspection, maintenance, installation, operation, construction, or repair of property owned or operated by the public utility.
- (2) [Permits may also be issued by the county executive] The county executive of any county may issue a permit under this section to other aircraft under rules made by the department.
- (3) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules for issuing a special license to:
 - (i) an aircraft permitted by a county executive to land on a county road; and
- (ii) a pilot permitted to operate an aircraft licensed under this subsection from a county road.
- (b) The rules made under this subsection shall include provisions for the safety of the flying and motoring public.
- (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules for the landing and taking off of aircraft to which permits have been issued <u>under this section</u>, which may include annual reports of activities of the aircraft.
- (5) [Prior to obtaining a permit or license to any aircraft] Before obtaining a permit or license under this section, the applicant shall file with the county executive and the department [a certificate of insurance executed by an insurance company or association authorized to transact business in this state upon a form prescribed by the department that there is in full force and effect a policy of insurance covering the aircraft for liability against:] proof of public liability insurance coverage that meets the requirements described in Section 31A-22-1300.
 - [(a) personal injury or death for any one person in an amount of \$50,000 or more;]
 - [(b) any one accident in an amount of \$100,000 or more; and]
 - (c) property damage in an amount of \$50,000 or more.
- (6) In addition to the insurance required under this section, either the county executive or the department may require the posting of a bond to indemnify the county or department against liability resulting from issuing the permit or license <u>under this section</u>.