

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 6, 2024
Date

Committee on Transportation, Housing & Local Government.

After consideration on the merits, the Committee recommends the following:

HB24-1235 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1. Legislative declaration.** (1) The general
4 assembly finds and declares that:

5 (a) According to the United States environmental protection
6 agency:

7 (I) Aircraft that use leaded aviation gasoline are a leading source
8 of lead emissions in our air;

9 (II) Excessive exposure to lead has many harmful health effects,
10 which can include adverse effects on the nervous system, kidney function,
11 the immune system, reproductive and developmental systems, the
12 cardiovascular system, and the oxygen carrying capacity of blood;

13 (III) Exposure to lead can cause irreversible and life-long harmful
14 health effects in children and pregnant individuals; and

15 (IV) Elevated lead in the environment can result in decreased
16 growth and reproduction in plants and animals and negative neurological
17 effects in vertebrates;

18 (b) According to the United States centers for disease control and
19 prevention, no level of lead exposure is safe for children, and even low
20 levels of lead in their blood are associated with developmental delays,
21 learning difficulties, and behavioral issues;

22 (c) Peer-reviewed research indicates that children who live near
23 airports with significant general aviation activity have elevated levels of
24 lead in their blood and that blood lead levels in children under five
25 increase as levels of atmospheric lead increase;

26 (d) Persistent and loud noise also has harmful health effects,
27 especially for children; and

1 (e) It is therefore necessary, appropriate, and in the best interest
2 of all Coloradans for the state to:

3 (I) Provide financial incentives in the form of an income tax credit
4 and a grant program to reduce the use of leaded aviation gasoline; and

5 (II) Create standards for an airport with significant general
6 aviation activity in an urban or suburban area to follow to notify the
7 surrounding community of its voluntary plans and procedures to reduce
8 the impacts of noise and lead on the community.

9 **SECTION 2.** In Colorado Revised Statutes, **add** 39-22-560 as
10 follows:

11 **39-22-560. Tax credit for certification of aircraft to use**
12 **unleaded aviation gasoline - tax preference performance statement**
13 **- review - legislative declaration - definitions - repeal.** (1) (a) IN
14 ACCORDANCE WITH SECTION 39-21-304 (1), WHICH REQUIRES EACH BILL
15 THAT CREATES A NEW TAX EXPENDITURE TO INCLUDE A TAX PREFERENCE
16 PERFORMANCE STATEMENT AS PART OF A STATUTORY LEGISLATIVE
17 DECLARATION, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE
18 PURPOSE OF THE TAX CREDIT PROVIDED IN THIS SECTION IS TO INDUCE
19 CERTAIN DESIGNATED BEHAVIOR BY TAXPAYERS, SPECIFICALLY THE
20 MODIFICATION OF AIRCRAFT THAT ARE POWERED BY LEADED AVIATION
21 GASOLINE SO THAT SUCH AIRCRAFT CAN BE CERTIFIED TO BE POWERED BY
22 UNLEADED AVIATION GASOLINE AND NO LONGER USE LEADED AVIATION
23 GASOLINE.

24 (b) THE GENERAL ASSEMBLY AND THE STATE AUDITOR SHALL
25 MEASURE THE EFFECTIVENESS OF THE CREDIT IN ACHIEVING THE PURPOSE
26 SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION BASED ON THE NUMBER
27 OF CREDITS CLAIMED.

28 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
29 REQUIRES:

30 (a) "AIRCRAFT" HAS THE SAME MEANING AS SET FORTH IN SECTION
31 43-10-102 (1).

32 (b) "AVIATION GASOLINE" MEANS GASOLINE-BASED FUEL THAT IS
33 USED TO POWER AN AIRCRAFT.

34 (c) "LEADED AVIATION GASOLINE" MEANS ANY AVIATION FUEL
35 CONTAINING TETRAETHYL LEAD ADDITIVES.

36 (d) "QUALIFYING AIRCRAFT" MEANS AN AIRCRAFT THAT HAS BEEN
37 POWERED BY LEADED AVIATION GASOLINE AND FOR WHICH A
38 SUPPLEMENTAL TYPE CERTIFICATE OR ANY OTHER AUTHORIZATION THAT
39 APPROVES THE COMPLETED MODIFICATION OF THE AIRCRAFT TO BE
40 POWERED BY UNLEADED AVIATION GASOLINE HAS BEEN ISSUED.

41 (e) "QUALIFYING EXPENSES" MEANS ANY ACTUAL OUT-OF-POCKET
42 EXPENSES INCURRED AND PAID BY A QUALIFYING TAXPAYER FOR THE
43 PURPOSE OF MODIFYING AN AIRCRAFT REGISTERED WITH THE FEDERAL

1 AVIATION ADMINISTRATION IN THIS STATE SO THAT IT IS A QUALIFYING
2 AIRCRAFT.

3 (f) "QUALIFYING TAXPAYER" MEANS A PERSON SUBJECT TO TAX
4 UNDER THIS ARTICLE 22 WHO IS THE OWNER OF AN AIRCRAFT AS
5 INDICATED ON THE AIRCRAFT REGISTRY MAINTAINED BY THE FEDERAL
6 AVIATION ADMINISTRATION.

7 (g) "SUPPLEMENTAL TYPE CERTIFICATE" MEANS A TYPE
8 CERTIFICATE ISSUED BY THE FEDERAL AVIATION ADMINISTRATION TO AN
9 APPLICANT THAT HAS MODIFIED AN AERONAUTICAL PRODUCT FROM ITS
10 ORIGINAL DESIGN WITH FEDERAL AVIATION ADMINISTRATION APPROVAL.

11 (h) "UNLEADED AVIATION GASOLINE" MEANS AVIATION GASOLINE
12 THAT DOES NOT INCLUDE LEAD.

13 (3) FOR ANY INCOME TAX YEAR COMMENCING ON OR AFTER
14 JANUARY 1, 2025, BUT BEFORE JANUARY 1, 2030, A QUALIFYING
15 TAXPAYER WHO INCURS QUALIFYING EXPENSES IS ALLOWED A CREDIT
16 AGAINST THE INCOME TAXES IMPOSED BY THIS ARTICLE 22 IN THE TAX
17 YEAR IN WHICH THE QUALIFYING AIRCRAFT IS REGISTERED BY THE
18 FEDERAL AVIATION ADMINISTRATION IN THIS STATE IN AN AMOUNT EQUAL
19 TO FIFTY PERCENT OF ALL QUALIFYING EXPENSES INCURRED; EXCEPT THAT
20 THE MAXIMUM AMOUNT OF THE CREDIT THAT MAY BE CLAIMED FOR
21 QUALIFYING EXPENSES INCURRED IN MODIFYING ANY ONE AIRCRAFT IS
22 FIVE HUNDRED DOLLARS.

23 (4) IF THE AMOUNT OF A CREDIT AUTHORIZED BY THIS SECTION
24 EXCEEDS THE AMOUNT OF INCOME TAXES OTHERWISE DUE ON THE INCOME
25 OF THE QUALIFYING TAXPAYER CLAIMING THE CREDIT IN THE INCOME TAX
26 YEAR FOR WHICH THE CREDIT IS BEING CLAIMED, THE AMOUNT OF THE
27 CREDIT NOT USED AS AN OFFSET AGAINST INCOME TAXES IN THAT INCOME
28 TAX YEAR MAY BE CARRIED FORWARD AS A CREDIT AGAINST SUBSEQUENT
29 YEARS' INCOME TAX LIABILITY FOR A PERIOD NOT EXCEEDING FIVE YEARS
30 AND MUST BE APPLIED FIRST TO THE EARLIEST INCOME TAX YEARS
31 POSSIBLE. ANY CREDIT REMAINING AFTER THE PERIOD MAY NOT BE
32 REFUNDED OR CREDITED TO THE QUALIFYING TAXPAYER.

33 (5) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2039.

34 **SECTION 3.** In Colorado Revised Statutes, 43-10-102, **amend**
35 the introductory portion and (3)(a)(VII); and **add** (3)(a)(IX), (3)(a)(X),
36 (3)(a)(XI), and (3)(a)(XII) as follows:

37 **43-10-102. Definitions.** As used in this ~~article~~ ARTICLE 10, unless
38 the context otherwise requires:

39 (3) (a) "Aviation purposes" means any objective that provides
40 direct and indirect benefits to the state aviation system and includes, but
41 is not limited to:

42 (VII) Any acquisition of land, of any interest therein, or of any
43 easement through or other interest in airspace, including land for future

1 airport development, which is necessary to permit any such work or to
2 remove, mitigate, prevent, or limit the establishment of any hazard to the
3 safe operation of aircraft; ~~and~~

4 (IX) DESIGN, ENGINEERING, CONSTRUCTION, INSTALLATION,
5 ACQUISITION, AND INSPECTION OF INFRASTRUCTURE, INCLUDING
6 EQUIPMENT, THAT WILL ALLOW THE SALE OF UNLEADED AVIATION
7 GASOLINE AT A GENERAL AVIATION AIRPORT OR AT A COMMERCIAL
8 AIRPORT AT WHICH THERE IS, AS DETERMINED BY THE DIVISION,
9 SIGNIFICANT GENERAL AVIATION ACTIVITY;

10 (X) SUBSIDIZATION OF UNLEADED AVIATION GASOLINE AT A
11 GENERAL AVIATION AIRPORT OR A COMMERCIAL AIRPORT AT WHICH THERE
12 IS SIGNIFICANT GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE
13 DIVISION;

14 (XI) NOISE MONITORING DEVICES, TECHNOLOGIES, OR SYSTEMS
15 THAT ARE USED TO EVALUATE NOISE LEVELS FROM THE OPERATION OF
16 AIRCRAFT AND OTHER AVIATION ACTIVITIES AT OR NEAR AIRPORTS; AND

17 (XII) THE EVALUATION, PROVISION OF EDUCATION AND
18 TECHNICAL ASSISTANCE TO AIRPORTS ABOUT, PREVENTION, OR
19 MITIGATION OF ADVERSE IMPACTS TO THE HEALTH, SAFETY, AND WELFARE
20 OF INDIVIDUALS WHO RESIDE OR WORK NEAR AN AIRPORT INCLUDING BUT
21 NOT LIMITED TO THE EVALUATION, PROVISION OF EDUCATION AND
22 TECHNICAL ASSISTANCE TO AIRPORTS ABOUT, PREVENTION, OR
23 MITIGATION OF SUCH ADVERSE IMPACTS CONDUCTED BY THE DIVISION AND
24 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO
25 SECTION 43-10-118.

26 **SECTION 4.** In Colorado Revised Statutes, 43-10-103, **amend**
27 (2) introductory portion and (2)(k); and **add** (2)(n) and (2)(o) as follows:

28 **43-10-103. Division of aeronautics created - duties.** (2) The
29 division shall provide support for the Colorado aeronautical board in
30 fulfilling its duties. The duties of the division ~~shall~~ also include, but ARE
31 not ~~be~~ limited to, the following:

32 (k) Publishing information relating to aeronautics in the state; ~~and~~

33 (n) WORKING WITH THE DEPARTMENT OF PUBLIC HEALTH AND
34 ENVIRONMENT TO EVALUATE AND EDUCATE AND PROVIDE TECHNICAL
35 ASSISTANCE TO AIRPORTS ABOUT THE ADVERSE IMPACTS OF AIRCRAFT
36 NOISE AND THE USE OF LEADED AVIATION GASOLINE ON PUBLIC HEALTH,
37 SAFETY, AND WELFARE AS REQUIRED BY SECTION 43-10-118; AND

38 (o) EDUCATING AIRPORTS WITH SIGNIFICANT GENERAL AVIATION
39 ACTIVITY, AS DETERMINED BY THE DIVISION, REGARDING:

40 (I) THE NEED TO EXPEDITE THE TRANSITION FROM LEADED
41 AVIATION GASOLINE TO UNLEADED AVIATION GASOLINE; AND

42 (II) THE PROVISIONS OF THIS ARTICLE 10, AS AMENDED BY HOUSE
43 BILL 24-1235, ENACTED IN 2024, THAT OFFER FUNDING FOR PROJECTS AND

1 UNLEADED AVIATION GASOLINE SUBSIDIES, IF OFFERED BY THE DIVISION,
2 THAT SUPPORT THE TRANSITION FROM LEADED AVIATION GASOLINE TO
3 UNLEADED AVIATION GASOLINE AND IMPOSE REQUIREMENTS FOR
4 ACCESSING THAT FUNDING AND, IF OFFERED, THOSE SUBSIDIES.

5 **SECTION 5.** In Colorado Revised Statutes, 43-10-104, **amend**
6 (1)(b), (1)(f), and (2) as follows:

7 **43-10-104. Colorado aeronautical board - created.** (1)(b) The
8 board consists of ~~seven~~ NINE VOTING members appointed by the governor,
9 with the consent of the senate, for terms of three years; except that the
10 terms ~~shall~~ MUST be staggered so that no more than three members' terms
11 expire in the same year.

12 (f) The board shall not conduct any business unless there are at
13 least ~~four~~ FIVE VOTING members of the board present.

14 (2) (a) The ~~members of the board shall be chosen as follows~~
15 CONSISTS OF THE FOLLOWING MEMBERS:

16 (I) Four members, two from the eastern slope and two from the
17 western slope of the state, representing local governments ~~which~~ THAT
18 operate airports, which members ~~shall be selected by the governor~~ SHALL
19 SELECT from a list of nominees supplied by THOSE local governments;

20 (II) TWO MEMBERS WHO ARE RESIDENTS OF COMMUNITIES THAT
21 ARE AFFECTED BY GENERAL AVIATION AIRPORT TRAFFIC OR TRAFFIC AT A
22 COMMERCIAL AIRPORT AT WHICH THERE IS SIGNIFICANT GENERAL
23 AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION. THE INITIAL TERMS
24 OF THE TWO NEW MEMBERS COMMENCE WHEN THE NEXT TERM OF AN
25 EXISTING MEMBER COMMENCES, AND THE NEW MEMBERS' INITIAL TERMS
26 MUST COMPLY WITH THE EXISTING STAGGERING REQUIREMENT. IN
27 APPOINTING THESE MEMBERS, THE GOVERNOR SHALL GIVE PRIORITY TO
28 INDIVIDUALS WHO:

29 (A) ARE NOT TRAINED PILOTS;

30 (B) ARE FAMILIAR WITH AIRPORT INFRASTRUCTURE, AVIATION,
31 AND THE MISSION OF THE BOARD, INCLUDING BUT NOT LIMITED TO THOSE
32 WHO SERVE ON AN AIRPORT COMMUNITY NOISE ROUNDTABLE; AND

33 (C) RESIDE IN A COMMUNITY THAT IS SIGNIFICANTLY IMPACTED BY
34 NOISE OR LEAD EMISSIONS BY A HIGH-TRAFFIC AIRPORT WITH SIGNIFICANT
35 GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION;

36 (III) One member representing a statewide association of airport
37 managers;

38 (IV) One member representing a statewide association of pilots;
39 **and**

40 (V) One member familiar with and supportive of the state's
41 aviation issues, interests, and concerns; AND

42 (VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
43 HEALTH AND ENVIRONMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE,

1 WHO IS AN EX OFFICIO NONVOTING MEMBER OF THE BOARD.
2 (b) ~~Appointments shall be made~~ IN ADDITION TO SATISFYING THE
3 REQUIREMENTS SET FORTH IN SECTION 24-20-115, THE GOVERNOR SHALL
4 MAKE APPOINTMENTS TO THE BOARD so as to ~~insure~~ ENSURE a balance
5 broadly representative of the activity level of airports throughout the state
6 AND FURTHER ENSURE THAT THE RACIAL, ETHNIC, AND GENDER MAKEUP
7 OF THE BOARD IS REPRESENTATIVE OF COMMUNITIES THAT ARE
8 DISPROPORTIONATELY IMPACTED BY GENERAL AVIATION AIRPORT TRAFFIC
9 OR TRAFFIC AT A COMMERCIAL AIRPORT AT WHICH THERE IS SIGNIFICANT
10 GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION.
11 **SECTION 6.** In Colorado Revised Statutes, 43-10-108.5, **amend**
12 (2) as follows:
13 **43-10-108.5. State aviation system grant program.**
14 (2) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(c) OF THIS
15 SECTION, any entity operating an FAA-designated public-use airport may
16 apply to the division for a state aviation system grant to be used solely for
17 aviation purposes. Applications ~~shall~~ MUST contain such information as
18 may be required by the division and shall be filed in accordance with
19 procedures established by the division. In order to be eligible for a grant,
20 the applicant must demonstrate, to the satisfaction of the division, that the
21 grant shall be used solely for aviation purposes as defined in section
22 43-10-102 (3). The division shall evaluate grant applications based upon
23 criteria established by the division, AND CRITERIA SET FORTH IN
24 SUBSECTION (2)(b) OF THIS SECTION, and make recommendations to the
25 board on the awarding of grants. Any grant proposed by the board ~~shall~~
26 MUST be submitted to the governor's office for review and
27 recommendation prior to a final decision. The governor shall accomplish
28 ~~his~~ THE GOVERNOR'S review and recommendation within thirty days of
29 submittal of the grant proposal by the board. The board shall make final
30 decisions on the awarding of grants subject to the availability of ~~moneys~~
31 MONEY in the aviation fund created in section 43-10-109. The board shall
32 establish procedures to ensure that grants awarded pursuant to the
33 provisions of this section are used solely for aviation purposes as required
34 by this subsection (2).
35 (b) THE DIVISION, WHEN EVALUATING GRANT APPLICATIONS AND
36 MAKING RECOMMENDATIONS TO THE BOARD AS TO THE AWARDING OF
37 GRANTS; THE GOVERNOR'S OFFICE, WHEN REVIEWING REQUESTED GRANTS
38 RECOMMENDED BY THE DIVISION MAKING RECOMMENDATIONS REGARDING
39 SUCH REQUESTED GRANTS TO THE BOARD; AND THE BOARD, WHEN
40 AWARDING GRANTS, SHALL DESIGNATE THE LESSER OF TEN PERCENT OF
41 THE AMOUNT AWARDED IN GRANTS PER YEAR OR ONE MILLION FIVE
42 HUNDRED THOUSAND DOLLARS PER YEAR IN GRANTS FOR THE AVIATION
43 PURPOSES OF AIDING AND ACCELERATING THE TRANSITION FROM LEADED

1 AVIATION GASOLINE TO UNLEADED AVIATION GASOLINE. THE BOARD
2 SHALL PRIORITIZE AWARDED GRANTS DESIGNATED TO ADDRESS THE
3 TRANSITION FROM LEADED AVIATION GASOLINE TO UNLEADED AVIATION
4 GASOLINE TO AIRPORTS WITH SIGNIFICANT GENERAL AVIATION TRAFFIC IN
5 URBAN AND SUBURBAN AREAS WHERE SURROUNDING COMMUNITIES MAY
6 BE DISPROPORTIONATELY IMPACTED BY SUCH TRAFFIC. IF THE BOARD DOES
7 NOT RECEIVE GRANT APPLICATIONS EQUALING AT LEAST THE AMOUNT
8 DESIGNATED BY THE BOARD PURSUANT TO THIS SUBSECTION (2)(b) IN ANY
9 GIVEN YEAR, THE BOARD MAY USE THE REMAINDER OF THIS FUNDING FOR
10 OTHER AVIATION PURPOSES.

11 (c) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(g) OF
12 THIS SECTION, MONEY SHALL NOT BE EXPENDED FROM THE FUND FOR A
13 GRANT AWARDED PURSUANT TO THIS SECTION OR OTHERWISE TO AN
14 AIRPORT THAT THE DIVISION HAS IDENTIFIED AS BEING LOCATED IN A
15 DENSELY POPULATED RESIDENTIAL AREA OR AS HAVING A SIGNIFICANT
16 NUMBER OF FLIGHTS OVER A DENSELY POPULATED RESIDENTIAL AREA
17 UNLESS THE AIRPORT OR ENTITY OPERATING THE AIRPORT DEMONSTRATES
18 TO THE SATISFACTION OF THE DIVISION THAT:

19 (I) BY JANUARY 1, 2026, IT HAS ADOPTED A PLAN FOR PHASING
20 OUT SALES OF LEADED AVIATION GASOLINE AT THE AIRPORT BY JANUARY
21 1, 2030, WITH EXECUTION OF THE PLAN IN ACCORDANCE WITH FAA AND
22 FEDERAL ENVIRONMENTAL PROTECTION AGENCY REQUIREMENTS OR
23 OTHER RELEVANT FEDERAL GUIDANCE; AND

24 (II) IT HAS ESTABLISHED, IN CONSULTATION WITH FLIGHT SCHOOLS
25 AND PILOTS THAT REGULARLY USE THE AIRPORT, A VOLUNTARY NOISE
26 ABATEMENT PLAN, WITH EXECUTION OF THE NOISE ABATEMENT PLAN IN
27 ACCORDANCE WITH FAA AND FEDERAL ENVIRONMENTAL PROTECTION
28 AGENCY REQUIREMENTS OR OTHER RELEVANT FEDERAL GUIDANCE, SO
29 THAT AIRCRAFT NOISE IS NOT A SIGNIFICANT PUBLIC NUISANCE AND DOES
30 NOT CAUSE SIGNIFICANT ADVERSE IMPACTS TO THE PUBLIC HEALTH,
31 SAFETY, AND WELFARE OF INDIVIDUALS RESIDING NEAR THE AIRPORT. THE
32 DIVISION SHALL DEVELOP GUIDELINES FOR THE ESTABLISHMENT OF
33 EFFECTIVE VOLUNTARY NOISE ABATEMENT PLANS THAT MUST INCLUDE, AT
34 A MINIMUM:

35 (A) PUBLICATION OF NOISE ABATEMENT PLANS AMONG ALL
36 AIRPORT OPERATORS; AND

37 (B) NOISE ABATEMENT PLAN ELEMENTS, INCLUDING, BUT NOT
38 LIMITED TO, A VOLUNTARY CURFEW ON WHEN FLIGHTS MAY DEPART FROM
39 THE AIRPORT; VOLUNTARY GUIDELINES ON THE NUMBER OF FLIGHTS THAT
40 MAY DEPART FROM THE AIRPORT WITHIN SPECIFIED PERIODS; AND
41 VOLUNTARY GUIDELINES ON THE FREQUENCY OF TOUCH AND GO FLIGHTS
42 DURING WHICH AN AIRCRAFT TOUCHES DOWN ON A RUNWAY AND THEN
43 IMMEDIATELY ACCELERATES AND TAKES OFF AGAIN WITHOUT STOPPING.

1 (d) (I) NOISE ABATEMENT PLANS DEVELOPED IN ACCORDANCE
2 WITH SUBSECTION (2)(c)(II) OF THIS SECTION MUST BE PROPERLY POSTED
3 AT EACH AIRPORT.

4 (II) EACH AIRPORT SHALL CONDUCT MEETINGS WITH THE
5 AIRPORT'S FLIGHT SCHOOLS, FUEL OPERATORS, AND PILOTS WHO
6 COMMONLY FLY OUT OF THE AIRPORT ON A REGULAR BASIS TO INFORM THE
7 PARTIES OF THE NOISE ABATEMENT PROCEDURES AND HOW THEY MIGHT
8 COMPLY WITH SUCH PROCEDURES.

9 (III) EACH AIRPORT SHALL CREATE AND POST ON ITS WEBSITE AN
10 INTERNAL COMMUNICATIONS PLAN DETAILING HOW THEY INTEND TO
11 ENSURE THAT THEIR NOISE ABATEMENT PLAN IS WELL UNDERSTOOD AND
12 AVAILABLE TO ALL AIRPORT OPERATORS.

13 (e) NOISE ABATEMENT PLANS DEVELOPED IN ACCORDANCE WITH
14 SUBSECTION (2)(c)(II) OF THIS SECTION MUST BE SUBMITTED TO THE FAA
15 AND ARE NOT CONTINGENT ON FAA APPROVAL.

16 (f) IF AN AIRPORT OR AN ENTITY OPERATING AN AIRPORT HAS ONE
17 OR MORE AVIGATION EASEMENTS IN PLACE, THE LEGAL STAFF OF THE
18 AIRPORT OR ENTITY MUST CERTIFY IN WRITING FOR EACH GRANT
19 APPLICATION THAT THE AIRPORT OR ENTITY IS IN COMPLIANCE WITH THE
20 ALL THE EASEMENTS.

21 (g) THE LIMITATION ON THE EXPENDITURE OF MONEY FROM THE
22 FUND SET FORTH IN SUBSECTION (2)(c) OF THIS SECTION DOES NOT APPLY
23 TO MONEY EXPENDED FOR AN AVIATION PROJECT THAT IS FOR AN
24 INTERNATIONAL AIRPORT OR THAT IS DETERMINED BY THE DIVISION TO BE
25 DIRECTLY UTILIZED TOWARDS THE TRANSITION FROM LEADED AVIATION
26 GASOLINE TO UNLEADED AVIATION GASOLINE, INCLUDING BUT NOT
27 LIMITED TO IMPROVEMENTS, ADDITIONS, AND MODIFICATIONS DESCRIBED
28 IN SECTION 43-10-102 (3)(a)(IX) TO (3)(a)(XII), FOR THE HEALTH,
29 SAFETY, AND WELFARE OF INDIVIDUALS WHO RESIDE NEAR THE AIRPORT
30 AT WHICH THE AVIATION PROJECT WILL BE COMPLETED.

31 **SECTION 7.** In Colorado Revised Statutes, **add** 43-10-118 as
32 follows:

33 **43-10-118. Adverse impacts - evaluation and provision of**
34 **education, and technical assistance.** (1) (a) THE DIVISION SHALL
35 EVALUATE, AND EDUCATE AND PROVIDE TECHNICAL ASSISTANCE TO
36 AIRPORTS ABOUT, THE ADVERSE IMPACTS OF AIRCRAFT NOISE ON PUBLIC
37 HEALTH, SAFETY, AND WELFARE. THE DIVISION SHALL PRIORITIZE THIS
38 EVALUATION, EDUCATION, AND TECHNICAL ASSISTANCE AT AIRPORTS
39 WITH SIGNIFICANT GENERAL AVIATION ACTIVITY THAT THE DIVISION HAS
40 IDENTIFIED AS BEING LOCATED IN DENSELY POPULATED RESIDENTIAL
41 AREAS OR AS HAVING A SIGNIFICANT NUMBER OF FLIGHTS OVER DENSELY
42 POPULATED RESIDENTIAL AREAS.

43 (b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

1 SHALL CONTINUE TO ENCOURAGE TESTING IN HIGH-RISK AREAS FOR THE
2 PRESENCE OF LEAD IN THE BLOOD OF INDIVIDUALS WHO RESIDE OR WORK
3 NEAR SUCH AIRPORTS OR CHILDREN WHO ATTEND SCHOOLS OR CHILD CARE
4 FACILITIES NEAR SUCH AIRPORTS.

5 **SECTION 8. Safety clause.** The general assembly finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety or for appropriations for
8 the support and maintenance of the departments of the state and state
9 institutions."

** ** ** ** **