

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 17-1099.01 Thomas Morris x4218

**SENATE BILL 17-235**

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**SENATE SPONSORSHIP**

**Crowder,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Agriculture, Natural Resources, & Energy

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING AN AUTHORIZATION OF A PILOT PROGRAM TO ALLOW**  
102                    **AMPHIBIOUS SEAPLANES TO OPERATE IN DESIGNATED STATE**  
103                    **PARKS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Current state park law excludes seaplanes from the definition of a "vessel", and applicable park rules essentially prohibit seaplanes from landing in or taking off from state park water bodies. The bill creates a pilot project to allow amphibious seaplanes to land in at least 2 state parks after the seaplanes have been inspected for and decontaminated of aquatic

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

nuisance species. The parks and wildlife commission may adopt rules to implement the pilot program.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 33-13-117 as  
3 follows:

4 **33-13-117. Seaplane pilot project - definitions - fees - rules -**  
5 **repeal.** (1) (a) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
6 OTHERWISE REQUIRES, "SEAPLANE" MEANS A SEAPLANE, AS DEFINED IN 33  
7 CFR 83.03 (e), THAT IS AMPHIBIOUS.

8 (b) THE DEFINITIONS IN SECTION 33-10.5-102 REGARDING AQUATIC  
9 NUISANCE SPECIES APPLY TO THIS SECTION.

10 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE 33:

11 (a) THE COMMISSION SHALL CONDUCT A PILOT PROJECT PURSUANT  
12 TO THIS SECTION THAT ALLOWS SEAPLANES TO LAND ON, FLOAT ON, AND  
13 TAKE OFF FROM WATERS OF THE STATE. THE COMMISSION SHALL INCLUDE  
14 AT LEAST TWO LAKES LOCATED AT DIFFERENT STATE PARKS IN THE PILOT  
15 PROJECT. THE COMMISSION SHALL CHOOSE LAKES ON WHICH THE USE OF  
16 MOTORBOATS IS ALLOWED AND THE DIVISION HAS THE RIGHT TO CONTROL  
17 THE USE OF THE SURFACE.

18 (b) DURING THE OPERATION OF A SEAPLANE PURSUANT TO THE  
19 PILOT PROJECT:

20 (I) THE PILOT SHALL COMPLY WITH:

21 (A) ALL FEDERAL AND STATE LAWS APPLICABLE TO AIRCRAFT;  
22 AND

23 (B) ALL APPLICABLE FEDERAL AND STATE LAWS AS IF THE  
24 SEAPLANE WERE A VESSEL; AND

25 (II) THE SEAPLANE MUST COMPLY WITH:

1 (A) ALL FEDERAL AND STATE LAWS APPLICABLE TO AIRCRAFT;  
2 AND

3 (B) ALL APPLICABLE FEDERAL AND STATE LAWS AS IF THE  
4 SEAPLANE WERE A VESSEL.

5 (3) (a) EXCEPT AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION,  
6 BEFORE A PILOT LANDS A SEAPLANE ON WATERS OF THE STATE AT A STATE  
7 PARK PURSUANT TO THIS SECTION, THE PILOT MUST:

8 (I) HAVE BEEN TRAINED IN AND BE CURRENTLY CERTIFIED IN  
9 AQUATIC NUISANCE SPECIES IDENTIFICATION, INSPECTION, AND  
10 DECONTAMINATION TECHNIQUES BY A NATIONAL ASSOCIATION  
11 RECOGNIZED BY THE DIVISION;

12 (II) LAND THE SEAPLANE AT AN AIRPORT IN THIS STATE AT WHICH  
13 THE PILOT MUST COMPLY WITH SUBSECTION (3)(a)(III) OF THIS SECTION;  
14 AND

15 (III) COMPLY WITH THE COMMISSION'S RULES REGARDING  
16 INSPECTION FOR AND DECONTAMINATION OF AQUATIC NUISANCE SPECIES,  
17 NECESSARY DOCUMENTATION, AND COMMUNICATION WITH PARK  
18 PERSONNEL AT WHICH THE SEAPLANE WILL LAND.

19 (b) A PILOT THAT LANDS A SEAPLANE ON WATERS OF THE STATE AT  
20 A STATE PARK PURSUANT TO THIS SECTION MUST PURCHASE A PARK PASS  
21 FOR THE PARK AT WHICH THE SEAPLANE WILL LAND.

22 (4) ONCE A PILOT HAS COMPLIED WITH SUBSECTION (3)(a) OF THIS  
23 SECTION, THE PILOT NEED NOT AGAIN COMPLY WITH SUBSECTION (3)(a) OF  
24 THIS SECTION FOR THIRTY DAYS UNLESS THE PILOT LANDS THE PLANE ON  
25 A BODY OF WATER OTHER THAN A BODY OF WATER SPECIFIED IN THE  
26 DOCUMENTATION AS REQUIRED BY RULE.

27 (5) THE COMMISSION MAY ADOPT RULES TO IMPLEMENT THIS

1 SECTION AFTER CONSULTING WITH THE AERONAUTICS DIVISION IN THE  
2 DEPARTMENT OF TRANSPORTATION, AFFECTED LOCAL GOVERNMENTS, AND  
3 STAKEHOLDERS FROM THE MOTORBOAT AND SEAPLANE COMMUNITIES.  
4 THE PILOT PROGRAM MUST BEGIN OPERATING BY JUNE 1, 2018.

5 (6) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2020.

6 **SECTION 2. Act subject to petition - effective date -**  
7 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
8 the expiration of the ninety-day period after final adjournment of the  
9 general assembly (August 9, 2017, if adjournment sine die is on May 10,  
10 2017); except that, if a referendum petition is filed pursuant to section 1  
11 (3) of article V of the state constitution against this act or an item, section,  
12 or part of this act within such period, then the act, item, section, or part  
13 will not take effect unless approved by the people at the general election  
14 to be held in November 2018 and, in such case, will take effect on the  
15 date of the official declaration of the vote thereon by the governor.

16 (2) This act applies to conduct occurring on or after the applicable  
17 effective date of this act.