

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1270.01 Thomas Morris x4218

SENATE BILL 18-275

SENATE SPONSORSHIP

Scott,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING THE ABILITY OF SEAPLANES TO OPERATE IN COLORADO.

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:

- ! Directs the division of parks and wildlife in the department of natural resources to:
 - ! Establish proposed procedures for the mandatory inspection and decontamination of seaplanes landing on water bodies in the state for the purposes

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

- of aquatic nuisance species prevention and containment and report on the procedures to the general assembly by September 1, 2019; and
- ! Establish a stakeholder process to evaluate seaplane access to 2 lakes located at state parks identified by the division and report the results of the stakeholder process to the general assembly by September 1, 2019; and
- ! Specifies that the prohibition on the landing of seaplanes in state parks does not apply in the event of an emergency, including for seaplanes engaged in firefighting operations.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 33-13-115.5 as
 3 follows:

4 **33-13-115.5. Seaplanes - aquatic nuisance species inspection**
 5 **process - stakeholder process - emergency exemption - definitions -**
 6 **repeal.** (1) (a) AS USED IN THIS SECTION, "SEAPLANE" MEANS ANY
 7 AIRCRAFT DESIGNED TO MANEUVER ON WATER.

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

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

11 (a) (I) (A) THE DIVISION, IN CONSULTATION WITH STAKEHOLDERS,
 12 SHALL ESTABLISH PROPOSED PROCEDURES FOR THE MANDATORY
 13 INSPECTION AND DECONTAMINATION OF SEAPLANES LANDING ON WATER
 14 BODIES IN THE STATE FOR THE PURPOSES OF AQUATIC NUISANCE SPECIES
 15 PREVENTION AND CONTAINMENT.

16 (B) THE DIVISION SHALL SUBMIT A REPORT OUTLINING THE
 17 PROPOSED AQUATIC NUISANCE SPECIES INSPECTION AND
 18 DECONTAMINATION PROCEDURES FOR SEAPLANES TO THE GENERAL
 19 ASSEMBLY BY SEPTEMBER 1, 2019.

1 (II) THIS SUBSECTION (2)(a) IS REPEALED, EFFECTIVE SEPTEMBER
2 1, 2020.

3 (b) (I) (A) THE DIVISION SHALL ESTABLISH A STAKEHOLDER
4 PROCESS TO EVALUATE SEAPLANE ACCESS TO TWO LAKES LOCATED AT
5 STATE PARKS TO BE IDENTIFIED BY THE DIVISION.

6 (B) THE DIVISION SHALL REPORT THE RESULTS OF THE
7 EVALUATION TO THE GENERAL ASSEMBLY BY SEPTEMBER 1, 2019.

8 (II) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE SEPTEMBER
9 1, 2020.

10 (c) ANY STATUTORY OR REGULATORY PROHIBITION ON THE
11 LANDING OF SEAPLANES IN STATE PARKS DOES NOT APPLY IN THE EVENT
12 OF AN EMERGENCY, INCLUDING FOR SEAPLANES ENGAGED IN FIREFIGHTING
13 OPERATIONS.

14 **SECTION 2. Act subject to petition - effective date -**
15 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
16 the expiration of the ninety-day period after final adjournment of the
17 general assembly (August 8, 2018, if adjournment sine die is on May 9,
18 2018); except that, if a referendum petition is filed pursuant to section 1
19 (3) of article V of the state constitution against this act or an item, section,
20 or part of this act within such period, then the act, item, section, or part
21 will not take effect unless approved by the people at the general election
22 to be held in November 2018 and, in such case, will take effect on the
23 date of the official declaration of the vote thereon by the governor.

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