

**Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0251.03 Jason Gelender x4330

**HOUSE BILL 24-1235**

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**HOUSE SPONSORSHIP**

**Brown and Bird**, Amabile, Clifford, Hernandez, Kipp, Lindstedt, Parenti, Weissman,  
Willford, Woodrow

**SENATE SPONSORSHIP**

**Fenberg and Zenzinger**,

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**House Committees**

Transportation, Housing & Local Government  
Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING MEASURES TO REDUCE THE IMPACT OF AVIATION ON**  
102      **SURROUNDING COMMUNITIES.**

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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>.)*

**Section 3** of the bill creates a state income tax credit for owners of aircraft that incur qualified expenses to enable an aircraft that is powered by leaded aviation gasoline to be certified to instead be powered by unleaded aviation gasoline. **Sections 4 and 8** provide explicit authority in the existing state aviation grant program (grant program) for aviation fund (fund) grants to general aviation airports and commercial airports at

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

which there is significant general aviation activity to fund the design, engineering, construction, installation, acquisition, and inspection of infrastructure, including equipment, that allows the sale of unleaded aviation gasoline at such airports and to subsidize purchases of unleaded aviation gasoline at such airports.

**Section 6** increases the Colorado aeronautical board (board) from 7 to 9 voting members by requiring the appointment of 2 members who are residents of communities that are affected by general aviation airport traffic or traffic at a commercial airport at which there is significant general aviation activity and makes the executive director of the department of public health and environment (CDPHE), or the executive director's designee, an ex officio nonvoting member of the board. In appointing the 2 new voting members, the governor is required to give priority to individuals who are not trained pilots and who reside directly in the predominant flight path of a high-traffic general aviation airport or a commercial airport at which there is significant general aviation activity and in an area that has a population density of more than 3,000 individuals per square mile.

**Section 8** requires prioritization of grant program grants to general aviation airports or commercial airports at which there is significant general aviation activity, as determined by the division of aeronautics (division), in urban or suburban areas that use a predominant flight pattern that includes a county or municipality that has a population density of more than 3,000 individuals per square mile.

**Section 8** also prohibits money from being expended from the fund for an airport that the division has identified as being located in a densely populated residential area or as having a significant number of flights over a densely populated residential area unless the airport or entity operating the airport demonstrates to the satisfaction of the division that:

- By January 1, 2026, it has adopted a plan for phasing out sales of leaded aviation gasoline at the airport;
- It has voluntarily established and enforces an effective noise mitigation plan in accordance with specified criteria, requirements, or guidelines that the division is required to develop; and
- It complies with the requirements of any aviation easements or contracts that it has entered into.

However, the limitation on the expenditure of money from the fund does not apply to money expended for an aviation project that is determined by the division to be designed and intended to mitigate significant adverse impacts on the health, safety, and welfare of individuals who reside near the airport at which the aviation project will be completed. **Section 7** imposes similar limitations on certain federal money that the state may apply to receive for aviation purposes.

**Section 9** requires the division and CDPHE to work together to evaluate, prevent, and mitigate the adverse impacts of aircraft noise and the use of leaded aviation gasoline on public health, safety, and welfare and specifies prioritization and other minimum requirements for the mitigation activities.

**Section 9** also creates the unleaded aviation gasoline enterprise in the aeronautics division of the department of transportation for the purpose of remediating impacts caused by the use of leaded aviation gasoline by imposing a leaded aviation gasoline impact remediation fee on purchases of leaded aviation gasoline and using fee revenue to provide grants, loans, and rebates to fund infrastructure and programs at general aviation airports that are designed to increase the use of unleaded aviation gasoline in lieu of leaded aviation gasoline.

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

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

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

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

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

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

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

17 (b) According to the United States centers for disease control and  
18 prevention, no level of lead exposure is safe for children, and even low

1 levels of lead in their blood are associated with developmental delays,  
2 learning difficulties, and behavioral issues;

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

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

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

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

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

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

19 **39-22-560. Tax credit for certification of aircraft to use**  
20 **unleaded aviation gasoline - tax preference performance statement**  
21 **- review - legislative declaration - definitions - repeal.** (1) (a) IN  
22 ACCORDANCE WITH SECTION 39-21-304 (1), WHICH REQUIRES EACH BILL  
23 THAT CREATES A NEW TAX EXPENDITURE TO INCLUDE A TAX PREFERENCE  
24 PERFORMANCE STATEMENT AS PART OF A STATUTORY LEGISLATIVE  
25 DECLARATION, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE  
26 PURPOSE OF THE TAX CREDIT PROVIDED IN THIS SECTION IS TO INDUCE  
27 CERTAIN DESIGNATED BEHAVIOR BY TAXPAYERS, SPECIFICALLY THE

1       MODIFICATION OF AIRCRAFT THAT ARE POWERED BY LEADED AVIATION  
2       GASOLINE SO THAT SUCH AIRCRAFT CAN BE CERTIFIED TO BE POWERED BY  
3       UNLEADED AVIATION GASOLINE AND NO LONGER USE LEADED AVIATION  
4       GASOLINE.

5               (b) THE GENERAL ASSEMBLY AND THE STATE AUDITOR SHALL  
6       MEASURE THE EFFECTIVENESS OF THE CREDIT IN ACHIEVING THE PURPOSE  
7       SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION BASED ON THE NUMBER  
8       OF CREDITS CLAIMED.

9               (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
10       REQUIRES:

11              (a) "AIRCRAFT" HAS THE SAME MEANING AS SET FORTH IN SECTION  
12       43-10-102 (1).

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

15              (c) "LEADED AVIATION GASOLINE" MEANS ANY AVIATION FUEL  
16       CONTAINING TETRAETHYL LEAD ADDITIVES.

17              (d) "QUALIFYING AIRCRAFT" MEANS AN AIRCRAFT THAT HAS BEEN  
18       POWERED BY LEADED AVIATION GASOLINE AND FOR WHICH A  
19       SUPPLEMENTAL TYPE CERTIFICATE OR ANY OTHER AUTHORIZATION THAT  
20       APPROVES THE COMPLETED MODIFICATION OF THE AIRCRAFT TO BE  
21       POWERED BY UNLEADED AVIATION GASOLINE HAS BEEN ISSUED.

22              (e) "QUALIFYING EXPENSES" MEANS ANY ACTUAL OUT-OF-POCKET  
23       EXPENSES INCURRED AND PAID BY A QUALIFYING TAXPAYER FOR THE  
24       PURPOSE OF MODIFYING AN AIRCRAFT REGISTERED WITH THE FEDERAL  
25       AVIATION ADMINISTRATION IN THIS STATE SO THAT IT IS A QUALIFYING  
26       AIRCRAFT.

27              (f) "QUALIFYING TAXPAYER" MEANS A PERSON SUBJECT TO TAX

1 UNDER THIS ARTICLE 22 WHO IS THE OWNER OF AN AIRCRAFT AS  
2 INDICATED ON THE AIRCRAFT REGISTRY MAINTAINED BY THE FEDERAL  
3 AVIATION ADMINISTRATION.

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

8 (h) "UNLEADED AVIATION GASOLINE" MEANS AVIATION GASOLINE  
9 THAT DOES NOT INCLUDE LEAD.

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

20 (4) IF THE AMOUNT OF A CREDIT AUTHORIZED BY THIS SECTION  
21 EXCEEDS THE AMOUNT OF INCOME TAXES OTHERWISE DUE ON THE INCOME  
22 OF THE QUALIFYING TAXPAYER CLAIMING THE CREDIT IN THE INCOME TAX  
23 YEAR FOR WHICH THE CREDIT IS BEING CLAIMED, THE AMOUNT OF THE  
24 CREDIT NOT USED AS AN OFFSET AGAINST INCOME TAXES IN THAT INCOME  
25 TAX YEAR MAY BE CARRIED FORWARD AS A CREDIT AGAINST SUBSEQUENT  
26 YEARS' INCOME TAX LIABILITY FOR A PERIOD NOT EXCEEDING FIVE YEARS  
27 AND MUST BE APPLIED FIRST TO THE EARLIEST INCOME TAX YEARS

1 POSSIBLE. ANY CREDIT REMAINING AFTER THE PERIOD MAY NOT BE  
2 REFUNDED OR CREDITED TO THE QUALIFYING TAXPAYER.

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

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

7 **43-10-102. Definitions.** As used in this ~~article~~ ARTICLE 10, unless  
8 the context otherwise requires:

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

12 (VII) Any acquisition of land, of any interest therein, or of any  
13 easement through or other interest in airspace, including land for future  
14 airport development, which is necessary to permit any such work or to  
15 remove, mitigate, prevent, or limit the establishment of any hazard to the  
16 safe operation of aircraft; ~~and~~

17 (IX) DESIGN, ENGINEERING, CONSTRUCTION, INSTALLATION,  
18 ACQUISITION, AND INSPECTION OF INFRASTRUCTURE, INCLUDING  
19 EQUIPMENT, THAT WILL ALLOW THE SALE OF UNLEADED AVIATION  
20 GASOLINE AT A GENERAL AVIATION AIRPORT OR AT A COMMERCIAL  
21 AIRPORT AT WHICH THERE IS, AS DETERMINED BY THE DIVISION,  
22 SIGNIFICANT GENERAL AVIATION ACTIVITY;

23 (X) SUBSIDIZATION OF UNLEADED AVIATION GASOLINE AT A  
24 GENERAL AVIATION AIRPORT OR A COMMERCIAL AIRPORT AT WHICH THERE  
25 IS SIGNIFICANT GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE  
26 DIVISION;

27 (XI) NOISE MONITORING DEVICES, TECHNOLOGIES, OR SYSTEMS

1 THAT ARE USED TO EVALUATE NOISE LEVELS FROM THE OPERATION OF  
2 AIRCRAFT AND OTHER AVIATION ACTIVITIES AT OR NEAR AIRPORTS;

3 (XII) THE EVALUATION, PROVISION OF EDUCATION AND  
4 TECHNICAL ASSISTANCE TO AIRPORTS ABOUT, PREVENTION, OR  
5 MITIGATION OF ADVERSE IMPACTS TO THE HEALTH, SAFETY, AND WELFARE  
6 OF INDIVIDUALS WHO RESIDE OR WORK NEAR AN AIRPORT INCLUDING BUT  
7 NOT LIMITED TO THE EVALUATION, PROVISION OF EDUCATION AND  
8 TECHNICAL ASSISTANCE TO AIRPORTS ABOUT, PREVENTION, OR  
9 MITIGATION OF SUCH ADVERSE IMPACTS CONDUCTED BY THE DIVISION AND  
10 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO  
11 SECTION 43-10-118; AND

12 (XIII) AT A TIME THAT ELECTRIC AIRCRAFT TECHNOLOGY HAS  
13 BEEN APPROPRIATELY CERTIFIED BY THE FAA, PROVIDING FOR  
14 ON-AIRPORT ELECTRIC AIRCRAFT CHARGING INFRASTRUCTURE.

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

17 **43-10-103. Division of aeronautics created - duties.** (2) The  
18 division shall provide support for the Colorado aeronautical board in  
19 fulfilling its duties. The duties of the division ~~shall~~ also include, but ARE  
20 not ~~be~~ limited to, the following:

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

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

27 (o) EDUCATING AIRPORTS WITH SIGNIFICANT GENERAL AVIATION

1 ACTIVITY, AS DETERMINED BY THE DIVISION, REGARDING:

2 (I) THE NEED TO EXPEDITE THE TRANSITION FROM LEADED  
3 AVIATION GASOLINE TO UNLEADED AVIATION GASOLINE; AND

4 (II) THE PROVISIONS OF THIS ARTICLE 10, AS AMENDED BY HOUSE  
5 BILL 24-1235, ENACTED IN 2024, THAT OFFER FUNDING FOR PROJECTS AND  
6 UNLEADED AVIATION GASOLINE SUBSIDIES, IF OFFERED BY THE DIVISION,  
7 THAT SUPPORT THE TRANSITION FROM LEADED AVIATION GASOLINE TO  
8 UNLEADED AVIATION GASOLINE AND IMPOSE REQUIREMENTS FOR  
9 ACCESSING THAT FUNDING AND, IF OFFERED, THOSE SUBSIDIES.

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

12 43-10-104. Colorado aeronautical board - created. (1) (b) The  
13 board consists of ~~seven~~ NINE VOTING members appointed by the governor,  
14 with the consent of the senate, for terms of three years; except that the  
15 terms ~~shall~~ MUST be staggered so that no more than three members' terms  
16 expire in the same year.

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

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

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

25 (II) TWO MEMBERS WHO ARE RESIDENTS OF COMMUNITIES THAT  
26 ARE AFFECTED BY GENERAL AVIATION AIRPORT TRAFFIC OR TRAFFIC AT A  
27 COMMERCIAL AIRPORT AT WHICH THERE IS SIGNIFICANT GENERAL

1 AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION. THE INITIAL TERMS  
2 OF THE TWO NEW MEMBERS COMMENCE WHEN THE NEXT TERM OF AN  
3 EXISTING MEMBER COMMENCES, AND THE NEW MEMBERS' INITIAL TERMS  
4 MUST COMPLY WITH THE EXISTING STAGGERING REQUIREMENT. IN  
5 APPOINTING THESE MEMBERS, THE GOVERNOR SHALL GIVE PRIORITY TO  
6 INDIVIDUALS WHO:

- 7 (A) ARE NOT TRAINED PILOTS;
- 8 (B) ARE FAMILIAR WITH AIRPORT INFRASTRUCTURE, AVIATION,  
9 AND THE MISSION OF THE BOARD, INCLUDING BUT NOT LIMITED TO THOSE  
10 WHO SERVE ON AN AIRPORT COMMUNITY NOISE ROUNDTABLE; AND
- 11 (C) RESIDE IN A COMMUNITY THAT IS SIGNIFICANTLY IMPACTED BY  
12 NOISE OR LEAD EMISSIONS BY A HIGH-TRAFFIC AIRPORT WITH SIGNIFICANT  
13 GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION;
- 14 (III) One member representing a statewide association of airport  
15 managers;
- 16 (IV) One member representing a statewide association of pilots;  
17 and
- 18 (V) One member familiar with and supportive of the state's  
19 aviation issues, interests, and concerns; AND
- 20 (VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
21 HEALTH AND ENVIRONMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE,  
22 WHO IS AN EX OFFICIO NONVOTING MEMBER OF THE BOARD.

23 (b) ~~Appointments shall be made~~ IN ADDITION TO SATISFYING THE  
24 REQUIREMENTS SET FORTH IN SECTION 24-20-115, THE GOVERNOR SHALL  
25 MAKE APPOINTMENTS TO THE BOARD so as to ~~insure~~ ENSURE a balance  
26 broadly representative of the activity level of airports throughout the state  
27 AND FURTHER ENSURE THAT THE RACIAL, ETHNIC, AND GENDER MAKEUP

1 OF THE BOARD IS REPRESENTATIVE OF COMMUNITIES THAT ARE  
2 DISPROPORTIONATELY IMPACTED BY GENERAL AVIATION AIRPORT TRAFFIC  
3 OR TRAFFIC AT A COMMERCIAL AIRPORT AT WHICH THERE IS SIGNIFICANT  
4 GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION.

5 **SECTION 6.** In Colorado Revised Statutes, 43-10-108.5, **amend**  
6 (2) as follows:

7 **43-10-108.5. State aviation system grant program.**

8 (2) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(c) OF THIS  
9 SECTION, any entity operating an FAA-designated public-use airport may  
10 apply to the division for a state aviation system grant to be used solely for  
11 aviation purposes. Applications ~~shall~~ MUST contain such information as  
12 may be required by the division and shall be filed in accordance with  
13 procedures established by the division. In order to be eligible for a grant,  
14 the applicant must demonstrate, to the satisfaction of the division, that the  
15 grant shall be used solely for aviation purposes as defined in section  
16 43-10-102 (3). The division shall evaluate grant applications based upon  
17 criteria established by the division, AND CRITERIA SET FORTH IN  
18 SUBSECTION (2)(b) OF THIS SECTION, and make recommendations to the  
19 board on the awarding of grants. Any grant proposed by the board ~~shall~~  
20 MUST be submitted to the governor's office for review and  
21 recommendation prior to a final decision. The governor shall accomplish  
22 ~~his~~ THE GOVERNOR'S review and recommendation within thirty days of  
23 submittal of the grant proposal by the board. The board shall make final  
24 decisions on the awarding of grants subject to the availability of ~~moneys~~  
25 MONEY in the aviation fund created in section 43-10-109. The board shall  
26 establish procedures to ensure that grants awarded pursuant to the  
27 provisions of this section are used solely for aviation purposes as required

1 by this subsection (2).

2 (b) THE DIVISION, WHEN EVALUATING GRANT APPLICATIONS AND  
3 MAKING RECOMMENDATIONS TO THE BOARD AS TO THE AWARDING OF  
4 GRANTS; THE GOVERNOR'S OFFICE, WHEN REVIEWING REQUESTED GRANTS  
5 RECOMMENDED BY THE DIVISION MAKING RECOMMENDATIONS REGARDING  
6 SUCH REQUESTED GRANTS TO THE BOARD; AND THE BOARD, WHEN  
7 AWARDING GRANTS, SHALL DESIGNATE THE LESSER OF TEN PERCENT OF  
8 THE AMOUNT AWARDED IN GRANTS PER YEAR OR ONE MILLION FIVE  
9 HUNDRED THOUSAND DOLLARS PER YEAR IN GRANTS FOR THE AVIATION  
10 PURPOSES OF AIDING AND ACCELERATING THE TRANSITION FROM LEADED  
11 AVIATION GASOLINE TO UNLEADED AVIATION GASOLINE. THE BOARD  
12 SHALL PRIORITIZE AWARDING GRANTS DESIGNATED TO ADDRESS THE  
13 TRANSITION FROM LEADED AVIATION GASOLINE TO UNLEADED AVIATION  
14 GASOLINE TO AIRPORTS WITH SIGNIFICANT GENERAL AVIATION TRAFFIC IN  
15 URBAN AND SUBURBAN AREAS WHERE SURROUNDING COMMUNITIES MAY  
16 BE DISPROPORTIONATELY IMPACTED BY SUCH TRAFFIC. IF THE BOARD DOES  
17 NOT RECEIVE GRANT APPLICATIONS EQUALING AT LEAST THE AMOUNT  
18 DESIGNATED BY THE BOARD PURSUANT TO THIS SUBSECTION (2)(b) IN ANY  
19 GIVEN YEAR, THE BOARD MAY USE THE REMAINDER OF THIS FUNDING FOR  
20 OTHER AVIATION PURPOSES.

21 (c) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(h) OF  
22 THIS SECTION, MONEY SHALL NOT BE EXPENDED FROM THE FUND FOR A  
23 GRANT AWARDED PURSUANT TO THIS SECTION OR OTHERWISE TO AN  
24 AIRPORT THAT THE DIVISION HAS IDENTIFIED AS BEING LOCATED IN A  
25 DENSELY POPULATED RESIDENTIAL AREA OR AS HAVING A SIGNIFICANT  
26 NUMBER OF FLIGHTS OVER A DENSELY POPULATED RESIDENTIAL AREA  
27 UNLESS THE AIRPORT OR ENTITY OPERATING THE AIRPORT DEMONSTRATES

1 TO THE SATISFACTION OF THE DIVISION THAT:

2 (I) BY JANUARY 1, 2026, IT HAS ADOPTED A PLAN FOR PHASING  
3 OUT SALES OF LEADED AVIATION GASOLINE AT THE AIRPORT BY JANUARY  
4 1, 2030, WITH EXECUTION OF THE PLAN IN ACCORDANCE WITH FAA AND  
5 FEDERAL ENVIRONMENTAL PROTECTION AGENCY REQUIREMENTS OR  
6 OTHER RELEVANT FEDERAL GUIDANCE; AND

7 (II) IT HAS ESTABLISHED, IN CONSULTATION WITH FLIGHT SCHOOLS  
8 AND PILOTS THAT REGULARLY USE THE AIRPORT, A VOLUNTARY NOISE  
9 ABATEMENT PLAN, WITH EXECUTION OF THE NOISE ABATEMENT PLAN IN  
10 ACCORDANCE WITH FAA AND FEDERAL ENVIRONMENTAL PROTECTION  
11 AGENCY REQUIREMENTS OR OTHER RELEVANT FEDERAL GUIDANCE, SO  
12 THAT AIRCRAFT NOISE IS NOT A SIGNIFICANT PUBLIC NUISANCE AND DOES  
13 NOT CAUSE SIGNIFICANT ADVERSE IMPACTS TO THE PUBLIC HEALTH,  
14 SAFETY, AND WELFARE OF INDIVIDUALS RESIDING NEAR THE AIRPORT. THE  
15 DIVISION SHALL DEVELOP GUIDELINES FOR THE ESTABLISHMENT OF  
16 EFFECTIVE VOLUNTARY NOISE ABATEMENT PLANS THAT MUST INCLUDE, AT  
17 A MINIMUM:

18 (A) PUBLICATION OF NOISE ABATEMENT PLANS AMONG ALL  
19 AIRPORT OPERATORS; AND

20 (B) NOISE ABATEMENT PLAN ELEMENTS, INCLUDING, BUT NOT  
21 LIMITED TO, A VOLUNTARY CURFEW ON WHEN FLIGHTS MAY DEPART FROM  
22 THE AIRPORT; VOLUNTARY GUIDELINES ON THE NUMBER OF FLIGHTS THAT  
23 MAY DEPART FROM THE AIRPORT WITHIN SPECIFIED PERIODS; AND  
24 VOLUNTARY GUIDELINES ON THE FREQUENCY OF TOUCH AND GO FLIGHTS  
25 DURING WHICH AN AIRCRAFT TOUCHES DOWN ON A RUNWAY AND THEN  
26 IMMEDIATELY ACCELERATES AND TAKES OFF AGAIN WITHOUT STOPPING.

27 (d) (I) NOISE ABATEMENT PLANS DEVELOPED IN ACCORDANCE

1 WITH SUBSECTION (2)(c)(II) OF THIS SECTION MUST BE PROPERLY POSTED  
2 AT EACH AIRPORT.

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

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

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

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

20 (g) AN AIRPORT OR AN ENTITY OPERATING AN AIRPORT MUST  
21 CERTIFY IN WRITING FOR EACH GRANT APPLICATION THAT THE AIRPORT OR  
22 ENTITY IS IN COMPLIANCE WITH ALL APPLICABLE FEDERAL LAWS AND  
23 REGULATIONS.

24 (h) THE LIMITATION ON THE EXPENDITURE OF MONEY FROM THE  
25 FUND SET FORTH IN SUBSECTION (2)(c) OF THIS SECTION DOES NOT APPLY  
26 TO MONEY EXPENDED FOR AN AVIATION PROJECT THAT IS FOR AN  
27 INTERNATIONAL AIRPORT OR THAT IS DETERMINED BY THE DIVISION TO BE

1 DIRECTLY UTILIZED TOWARDS THE TRANSITION FROM LEADED AVIATION  
2 GASOLINE TO UNLEADED AVIATION GASOLINE, INCLUDING BUT NOT  
3 LIMITED TO IMPROVEMENTS, ADDITIONS, AND MODIFICATIONS DESCRIBED  
4 IN SECTION 43-10-102 (3)(a)(IX) TO (3)(a)(XII), FOR THE HEALTH,  
5 SAFETY, AND WELFARE OF INDIVIDUALS WHO RESIDE NEAR THE AIRPORT  
6 AT WHICH THE AVIATION PROJECT WILL BE COMPLETED.

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

9 **43-10-118. Adverse impacts - evaluation and provision of**  
10 **education, and technical assistance.** (1) (a) THE DIVISION SHALL  
11 EVALUATE, AND EDUCATE AND PROVIDE TECHNICAL ASSISTANCE TO  
12 AIRPORTS ABOUT, THE ADVERSE IMPACTS OF AIRCRAFT NOISE ON PUBLIC  
13 HEALTH, SAFETY, AND WELFARE. THE DIVISION SHALL PRIORITIZE THIS  
14 EVALUATION, EDUCATION, AND TECHNICAL ASSISTANCE AT AIRPORTS  
15 WITH SIGNIFICANT GENERAL AVIATION ACTIVITY THAT THE DIVISION HAS  
16 IDENTIFIED AS BEING LOCATED IN DENSELY POPULATED RESIDENTIAL  
17 AREAS OR AS HAVING A SIGNIFICANT NUMBER OF FLIGHTS OVER DENSELY  
18 POPULATED RESIDENTIAL AREAS.

19 (b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
20 SHALL CONTINUE TO ENCOURAGE TESTING IN HIGH-RISK AREAS FOR THE  
21 PRESENCE OF LEAD IN THE BLOOD OF INDIVIDUALS WHO RESIDE OR WORK  
22 NEAR SUCH AIRPORTS OR CHILDREN WHO ATTEND SCHOOLS OR CHILD CARE  
23 FACILITIES NEAR SUCH AIRPORTS.

24 **SECTION 8. Safety clause.** The general assembly finds,  
25 determines, and declares that this act is necessary for the immediate  
26 preservation of the public peace, health, or safety or for appropriations for

- 1 the support and maintenance of the departments of the state and state
- 2 institutions.