

## CHAPTER 134

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**TRANSPORTATION**

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**HOUSE BILL 96-1215**

BY REPRESENTATIVES Entz, McPherson, Martin, Chlouber, and George;  
also SENATOR Bishop.

**AN ACT**

**CONCERNING AN INCREASE IN THE AUTHORITY OF THE DIVISION OF AERONAUTICS FOR THE PURPOSE OF ENHANCING THE DIVISION'S ABILITY TO PROMOTE AVIATION IN THE STATE OF COLORADO.**

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

**SECTION 1.** 43-10-102 (3), Colorado Revised Statutes, 1993 Repl. Vol., is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**43-10-102. Definitions.** (3) "Aviation purposes" means any objective that provides direct and indirect benefits to the state aviation system and includes, but is not limited to:

(h) ANY INFORMAL EDUCATION OR TRAINING MADE AVAILABLE TO THE PUBLIC CONCERNING AVIATION IN THE STATE OR ANY INFORMATIONAL MATERIALS FOR DISSEMINATION TO THE PUBLIC CONCERNING AVIATION.

**SECTION 2.** 43-10-103 (5), Colorado Revised Statutes, 1993 Repl. Vol., is amended, and the said 43-10-103 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**43-10-103. Division of aeronautics created - duties.** (5) EXCEPT AS OTHERWISE PROVIDED IN SECTION 43-10-105 (2), the division is authorized to assist only those airports ~~which~~ THAT request assistance by means of a resolution passed by the governing board of the airport and forwarded to the division.

(6) THE DIVISION IS AUTHORIZED, UNDER THE SUPERVISION OF THE BOARD, TO CONTRACT WITH A PUBLIC OR PRIVATE ENTITY FOR ANY OF THE FOLLOWING

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

## PURPOSES:

- (a) TO PROVIDE THE DIVISION WITH ANY WORK, SERVICES, OR EQUIPMENT NEEDED FOR AVIATION PURPOSES;
- (b) TO CARRY OUT THE EXPRESS DUTIES OF THE DIVISION UNDER THIS SECTION; OR
- (c) TO OTHERWISE IMPLEMENT THE INTENT OF THIS ARTICLE.

**SECTION 3.** 43-10-105 (2), Colorado Revised Statutes, 1993 Repl. Vol., is amended to read:

**43-10-105. Duties of the board.** (2) (a) The board shall have no control over federal funds for public airports, EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (2). The board may accept federal funds to carry out its powers and duties pursuant to this article.

(b) PURSUANT TO SECTION 47105 (a) (1) (B) OF THE FEDERAL "REVISION OF TITLE 49, TRANSPORTATION", 49 U.S.C. SEC. 40101 ET SEQ., "SUBTITLE VII - AVIATION PROGRAMS", FEDERAL PUBLIC LAW 103-272, 108 STAT. 1093, THE BOARD MAY ALSO ACCEPT AND DISTRIBUTE BY CONTRACT TO LOCAL AIRPORTS FEDERAL FUNDS AVAILABLE TO THE STATE FOR AIRPORT DEVELOPMENT PROJECTS BENEFITTING ONE OR MORE AIRPORTS OR FOR AIRPORT PLANNING PROJECTS FOR ONE OR MORE AIRPORTS IF THE FOLLOWING REQUIREMENTS ARE MET:

(I) THE SPONSOR OF A LOCAL AIRPORT GIVES WRITTEN CONSENT THAT THE STATE APPLY FOR A PROJECT GRANT UNDER THE FEDERAL ACT CITED IN THIS PARAGRAPH (b);

(II) THE FEDERAL SECRETARY OF TRANSPORTATION IS SATISFIED THAT THERE IS ADMINISTRATIVE MERIT AND AERONAUTICAL BENEFIT FOR THE STATE BEING THE SPONSOR OF AN AIRPORT DEVELOPMENT OR PLANNING PROJECT; AND

(III) AN ACCEPTABLE AGREEMENT EXISTS ENSURING THAT THE STATE WILL COMPLY WITH APPROPRIATE GRANT CONDITIONS AND OTHER ASSURANCES THE FEDERAL SECRETARY OF TRANSPORTATION REQUIRES.

**SECTION 4.** 43-10-110 (3), Colorado Revised Statutes, 1993 Repl. Vol., is amended to read:

**43-10-110. Revenues in aviation fund - disbursements.** (3) Moneys in the fund not transferred to governmental entities operating public-accessible airports as provided in subsection (2) of this section and not appropriated for administrative expenses shall be used by the board exclusively for aviation purposes, including the awarding of grants pursuant to the state aviation system grant program established by the general assembly pursuant to the provisions of section 43-10-108.5 AND INCLUDING THE AWARDING OF CONTRACTS AS AUTHORIZED IN THIS ARTICLE.

**SECTION 5. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 1, 1996