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Committees:

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State Representative Adam Holmes
97th House District of Ohio

House Bill 490 Sponsor Testimony

Chairman Baldrige, Vice Chairman McClain, Ranking Member Sheehy, and members of the House Transportation and Public Safety Committee, thank you for the opportunity to provide sponsor testimony on House Bill 490; The Navigable Airspace Protection Act.

The American aerospace industry is on the edge of a transformational leap in technology. House Bill 490 is one of a series of bills in work that are designed to establish the Ohio regulatory framework required for safe, efficient support of the various advanced air mobility platforms that will soon be in use in Ohio. House Bill 490 will update Ohio's permitting laws for tall structures to ensure that navigable airspace and future expansion of airports is not hindered by new construction. Under current law, any entity constructing a building over 200 feet must first be determined by the FAA to not be an obstruction to an airport, and if it is an obstruction, it must receive a Determination of No Hazard in order to be approved. Any project that receives a Determination of No Hazard must also receive a permit from ODOT, which works closely with the impacted airport to make a determination on the potential impact of the project. Currently this process is prolonged, cumbersome, and does not serve airports, businesses, or the taxpayers well. House Bill 490 is intended to streamline this process to enable faster approval, greater regulatory consistency, and protect the viability of all of Ohio's airports.

This bill will do the following:

1. Provide ODOT the ability to review airspace across the entire state in a way that accounts for the economic and local impact of tall structure development.
2. Ensure current and future airport utilization is not reduced by the development of tall structures.
3. Streamline the approval process for permits by making the FAA and ODOT review timelines concurrent. Under the bill, ODOT would be required to issue a decision to approve or deny a permit request within 10 business days of the FAA's Determination of No Hazard.
4. Most importantly, HB 490 will ensure that the FAA and ODOT work cooperatively as we build our advanced air mobility traffic management system across our state. We want to ensure that future construction of large structures does not negatively impact future air route plans for the growing number of drones, unmanned aerial vehicles, autonomous air vehicles, and rotary aircraft that will soon be overhead Ohio.

With an airport in every county, Ohio has long been an aviation state, and we are poised ONCE AGAIN to become a global center of the aerospace industry. But to make that future a reality, we must act now to establish an airport and airspace permitting process that prioritizes safety, airport operability, and business development. House Bill 490 accomplishes all three of these goals.

Thank you again for the opportunity to provide sponsor testimony on House Bill 490. I am happy to answer any questions you have.