

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. B. No. 294

**Senator Lang
Cosponsors: Senators Chavez, Romanchuk**



A BILL

To amend sections 4561.01 and 4561.11 of the
Revised Code to incorporate seaplane bases,
heliports, vertiports, and spaceports into the
Aeronautics Law.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4561.01 and 4561.11 of the
Revised Code be amended to read as follows:

Sec. 4561.01. As used in sections 4561.01 to 4561.25 of
the Revised Code:

(A) "Aviation" means transportation by aircraft; operation
of aircraft; the establishment, operation, maintenance, repair,
and improvement of airports, seaplane bases, heliports,
vertiports, spaceports, landing fields, and other air navigation
facilities; and all other activities connected therewith or
incidental thereto.

(B) "Aircraft" means any contrivance used or designed for
navigation or flight in the air, excepting a parachute or other
contrivance for such navigation used primarily as safety
equipment.

(C) "Airport" means any location either on land or water 19
which is used for the landing and taking off of aircraft. 20

(D) "Landing field" means any location either on land or 21
water of such size and nature as to permit the landing or taking 22
off of aircraft with safety, and used for that purpose but not 23
equipped to provide for the shelter, supply, or care of 24
aircraft. 25

(E) "Air navigation facility" means any facility used, 26
available for use, or designed for use in aid of navigation of 27
aircraft, including airports, landing fields, facilities for the 28
servicing of aircraft or for the comfort and accommodation of 29
air travelers, and any structures, mechanisms, lights, beacons, 30
marks, communicating systems, or other instrumentalities or 31
devices used or useful as an aid to the safe taking off, 32
navigation, and landing of aircraft, or to the safe and 33
efficient operation or maintenance of an airport or landing 34
field, and any combination of such facilities. 35

(F) "Air navigation hazard" means any structure, object of 36
natural growth, or use of land, that obstructs the air space 37
required for the flight of aircraft in landing or taking off at 38
any airport or landing field, or that otherwise is hazardous to 39
such landing or taking off. 40

(G) "Air navigation," "navigation of aircraft," or 41
"navigate aircraft" means the operation of aircraft in the air 42
space over this state. 43

(H) "Airperson" means any individual who, as the person in 44
command, or as pilot, mechanic, or member of the crew, engages 45
in the navigation of aircraft. 46

(I) "Airway" means a route in the air space over and above 47

the lands or waters of this state, designated by the Ohio 48
aviation board as a route suitable for the navigation of 49
aircraft. 50

(J) "Person" means any individual, firm, partnership, 51
corporation, company, association, joint stock association, or 52
body politic, and includes any trustee, receiver, assignee, or 53
other similar representative thereof. 54

(K) "Government agency" means a state agency, state 55
institution of higher education, regional port authority, or any 56
other political subdivision of the state, or the federal 57
government or other states. 58

(L) "Helicopter" means the area of land, water, or a 59
structure that is used or intended to be used for the landing 60
and takeoff of helicopters, including any appurtenant buildings 61
and facilities. 62

(M) "Vertiport" means the identifiable ground or elevated 63
areas, including the facilities thereon, that are designed to be 64
used for the landing and takeoff of rotorcraft, tilt-rotor 65
aircraft, or other powered lift aircraft. 66

(N) "Spaceport" means any facility in the state at which 67
space vehicles may be landed or launched, including all 68
facilities and support infrastructure related to the launch, 69
landing, and payload processing. 70

(O) "Seaplane base" means a designated area of water used 71
or intended to be used for the landing and takeoff of seaplanes 72
including shore side access and any appurtenant buildings and 73
facilities. 74

Sec. 4561.11. ~~(A)~~ (A) (1) All airports, seaplane bases, 75
heliports, vertiports, spaceports, landing fields, and landing 76

areas shall be approved by the department of transportation 77
before being used for commercial purposes. The department may 78
issue a certificate of approval in each case. The department 79
shall require that a complete plan of such airport, seaplane 80
base, heliport, vertiport, spaceport, landing field, or landing 81
area be filed with it before granting or issuing such approval; 82
provided that in no case in which the department licenses or 83
certifies an airport, seaplane base, heliport, vertiport, 84
spaceport, landing field, or landing area constructed, 85
maintained, or supported, in whole or in part, by public funds, 86
under sections 4561.01 to 4561.151 of the Revised Code, shall 87
the public be deprived of the use thereof or its facilities for 88
aviation purposes as fully and equally as all other parties. 89

(2) The department shall not issue a certificate of 90
approval for a vertiport if the owner or operator of that 91
vertiport has entered into an agreement with a political 92
subdivision of the state that grants the owner or operator an 93
exclusive right to operate all of the vertiports in the 94
political subdivision as the sole proprietor. 95

A person owning or operating one or more vertiports 96
located in the political subdivision does not bar the department 97
from issuing a certificate of approval for a vertiport owned or 98
operated by that person in the absence of an express agreement 99
granting exclusive rights to that person for future vertiports 100
in another political subdivision. 101

(B) In any case in which the department rejects or 102
disapproves an application to operate an airport, seaplane base, 103
heliport, vertiport, spaceport, landing field, or landing area, 104
or in any case in which the department issues an order requiring 105
certain things to be done before approval, it shall set forth 106

its reasons therefor and shall state the requirements to be met 107
before such approval will be given or such order modified or 108
changed. In any case in which the department considers it 109
necessary, it may order the closing of any airport, seaplane 110
base, heliport, vertiport, spaceport, landing field, or landing 111
area for commercial purposes until the requirements of the order 112
made by the department are complied with. 113

(C) Appeal from any action or decision of the department 114
in any such matter shall be made in accordance with sections 115
119.01 to 119.13 of the Revised Code. 116

(D) (1) The department shall require that any person 117
engaged within this state in operating aircraft, in any form of 118
navigation, shall be the holder of a currently effective 119
aviator's license issued by the ~~civil aeronautics federal~~ 120
aviation administration. 121

(2) The aviator's license required by this section shall 122
be kept in the personal possession of the pilot when the pilot 123
is operating aircraft within this state, and shall be presented 124
for inspection upon the request of any passenger, any authorized 125
representative of the department, or any official manager or 126
person in charge of any airport, seaplane base, heliport, 127
vertiport, spaceport, landing field, or area in this state upon 128
which the pilot lands. 129

~~(B)~~ (E) Whoever violates this section shall be fined not 130
more than five hundred dollars, imprisoned not more than ninety 131
days, or both. 132

Section 2. That existing sections 4561.01 and 4561.11 of 133
the Revised Code are hereby repealed. 134