
OLR Bill Analysis

sSB 993

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE CONNECTICUT AIRPORT AUTHORITY.

SUMMARY

This bill makes various changes in laws concerning airports, aircraft, and the Connecticut Airport Authority (CAA). Among other things, the bill:

1. requires owners and operators of aircraft based or hangered in the state to maintain liability insurance meeting specified coverage criteria (§ 15);
2. generally eliminates the CAA's role in aircraft registration, which is currently primarily handled by municipalities (§§ 1-4 & 7);
3. specifies documentation that must be given to CAA when seeking a certificate of approval or license for an air navigation facility (§ 6, also see BACKGROUND);
4. eliminates requirements that a taxi certificate holder be active for at least two years before it may provide taxi service at Bradley Airport (§ 14);
5. requires publicly owned airport owners or operators, rather than CAA, to develop and revise the approach plans for their airports after considering specified criteria (§ 11).

The bill also makes the following minor changes:

1. eliminates obsolete references to (a) federal airport grants being deposited in the state treasury before distribution, which is federally preempted, and (b) general fund appropriations for grants to municipal airports (§ 5);

2. allows, rather than requires, the state to fund capital improvements at private airports up to 90% of eligible costs (§ 8);
3. adds CAA special police to the list of officials who may enforce laws related to aeronautics (§ 9);
4. repeals obsolete language on budgeting and revenue at Bradley Airport originally adopted as part of a since completed project (§ 12);
5. eliminates the specific deadline for CAA to approve Bradley Airport's annual operating budget, which under current law is 30 days before the beginning of the fiscal year (§ 13); and
6. repeals statutes that are obsolete or federally preempted (§§ 16 & 17).

It also makes numerous technical and conforming changes, including in § 10.

EFFECTIVE DATE: July 1, 2023, except that the aircraft liability insurance and approach plan provisions are effective October 1, 2023.

§§ 1-4 & 7 — AIRCRAFT REGISTRATION

Under existing law and the bill, owners must annually register their aircraft with the municipality in which it is based or primarily used. But under current law, CAA is responsible for establishing the aircraft registration program and certain related tasks.

The bill generally eliminates CAA's role in administering the registration program, specifically repealing requirements that CAA (1) establish the aircraft registration program and (2) adopt any necessary rules and procedures for implementing it. It retains requirements that CAA prepare and distribute registration decals and forms to municipalities, but it eliminates the specific information the forms must contain.

Fees

Existing law sets out registration fees and allows municipalities to

keep the fees for their own use and purposes as a grant in lieu of property taxes. The bill eliminates a provision allowing CAA to set a uniform schedule for aircraft registration expiration and renewal and prorate the statutory fees accordingly.

Current law requires municipalities to annually report to CAA the amount of aircraft registration fees they collected, the number of registrations issued, registrants' names, and descriptions of registered aircraft. The bill eliminates the requirement that they report the amount of fees collected and sets a specific deadline (February 1) for annually reporting the remaining information from the last calendar year.

Information Reporting

The bill also (1) expands the type of information that owners and operators of air navigation facilities must report to CAA on aircraft based at their facilities and (2) requires that they additionally report this information directly to the municipality where the aircraft is based, rather than requiring the CAA executive director to forward the information to municipalities, as under current law.

Under existing law, these facilities must report the owner's name and address, the type of aircraft, and the Federal Aviation Aircraft Registration number. The bill also requires that they report information currently required on registration forms, namely (1) the form of ownership, including whether the owner is an individual, partnership, corporation, or other entity and (2) the aircraft's year of manufacture, the manufacturer, the model, and the certified gross weight. The bill eliminates current law's requirement that this information be in aircraft registration forms, but specifically requires municipalities to use the information reported to them to register aircraft.

§ 6 — CAA CERTIFICATES OF APPROVAL AND LICENSES

Under existing law, the CAA executive director is responsible for approving and licensing airports, heliports, restricted landing areas, and other air navigation facilities (CGS § 13b-46). The law establishes various factors that the executive director must consider when deciding whether to issue a certificate of approval or license (e.g., its proposed

size, location, and layout; the nature of the terrain; and planned uses of the proposed facility).

The bill specifically requires that public and private air navigation facilities, when seeking a certificate of approval, license, or license renewal, give CAA documentation, in a form the executive director prescribes, showing that these factors demonstrate that the facility will provide or currently provides for safe aircraft operations.

The bill also changes a reference to “commercial use” air navigation facility to a “public use” one, which conforms to the scope of CAA oversight authority under existing law.

§ 14 — TAXI SERVICE AT BRADLEY AIRPORT

Current law requires that taxi certificate holders, before they may provide service at Bradley Airport, prove that they have been active, adequate within their specified territory, and in compliance with all relevant laws and regulations for at least two years. The bill eliminates the requirement that they be adequate within their specified territory and the two-year minimum time period.

The bill also (1) eliminates a requirement that the agreement under which taxis provide service at Bradley may not take precedence over the taxi’s obligation to provide service within their specified territory and (2) makes a conforming change to remove reference to the transportation commissioner.

§ 15 — AIRCRAFT LIABILITY INSURANCE

Beginning October 1, 2023, the bill prohibits people from operating, or owners from allowing someone to operate, aircraft based or hangered in the state without liability insurance coverage. Specifically, the policy must cover the owner and pilot for claims by passengers or other people for bodily injuries, death, or property damage that may arise from the aircraft’s operation in the amount of at least (1) \$500,000 per accident and (2) \$100,000 per passenger seat.

Under the bill, these aircraft owners and operators must provide proof of insurance satisfying the bill’s requirements when requested by

CAA's executive director, authority officials, or a law enforcement officer.

The bill requires in-state air navigation facility owners and operators to keep a list of aircraft based or hangered at the facility. The list must include the following information for each aircraft:

1. its registration number, type, and model;
2. its owner or operator's name and address;
3. how long it has been based or hangered at the facility;
4. the liability insurance policy or binder number;
5. the insurance company's name, as shown on the policy; and
6. the name of the liability insurance agent or broker.

The bill's requirements do not apply to aircraft subject to federal liability insurance requirements.

§§ 16 & 17 — REPEALERS

The bill repeals the following provisions:

1. a requirement that a copy of plans of development and other documents be filed with the State Properties Review Board (under CGS § 4b-3(f), CAA airports or airport sites are not subject to the board's review) (CGS § 13b-44a);
2. a program setting aside a portion of contracts for federally funded noise mitigation projects at airports for veterans (federal law requires that airports follow federal contracting rules when using federal funding) (CGS § 13b-50b); and
3. requirements related to a Bradley Airport terminal project that is already complete (CGS § 15-101t).

It also repeals statutes establishing two Bradley Airport advisory groups, which are not active. It repeals the Bradley International

Community Advisory Board, which consists of the chief elected officials of Windsor, Windsor Locks, East Granby, and Suffield and whose purpose is to communicate between the airport and the surrounding towns and advise on various airport issues (CGS § 15-101pp). It also repeals the six-member Bradley Advisory Committee, which consists of residents and businesses located in the Bradley Airport Development Zone and is charged with consulting on business related to the airport (§ 16, CGS § 15-120bb(n)). In practice, CAA regularly meets with the non-statutory Bradley Development League, which consists of the chief executive officers of the municipalities surrounding the airport, the MetroHartford Alliance, and local business representatives.

BACKGROUND

Air Navigation Facility

By law, an air navigation facility is any facility, other than one owned or controlled by the federal government, used in, available for, or designed for use in, aid of air navigation. They include airports, heliports, restricted landing areas, and any structures, mechanisms, lights, beacons, marks, communicating systems, or other instrumentalities or devices used or useful as an aid to the (1) safe taking-off, navigation, and landing of aircraft or (2) safe and efficient operation or maintenance of an airport, heliport, or restricted landing area, and any combination of these facilities (CGS § 15-34).

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 34 Nay 2 (03/17/2023)