

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1785 Session of 2021

INTRODUCED BY BENNINGHOFF, JOZWIAK, MOUL, NEILSON, OWLETT, PICKETT, ROWE, ROZZI, SCHMITT AND WHEELAND, AUGUST 12, 2021

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, DECEMBER 14, 2021

AN ACT

1 Amending Title 74 (Transportation) of the Pennsylvania
2 Consolidated Statutes, in authority of Department of
3 Transportation, further providing for authority of
4 department.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 5301(e)(1) of Title 74 of the
8 Pennsylvania Consolidated Statutes is amended to read:

9 § 5301. Authority of department.

10 * * *

11 (e) Limitation on powers.--

12 (1) No license for a new airport, which is proposed to
13 be located within a five-mile radius of an existing airport,
14 or for the conversion of a military airport to joint use
15 shall be issued by the department unless it has held a public
16 hearing on the license application. The hearing shall be held
17 in the area where the proposed airport is to be located and
18 at least 60 days' notice of the date, time and place of the

1 hearing shall be given to the public in at least one
2 newspaper of general circulation. No license shall be issued
3 unless the department is satisfied that fair consideration
4 has been given to the interest of the communities in or near
5 which the proposed airport is to be located [and in no event
6 shall the department license any airport within two miles of
7 the boundary of an existing airport] AND THERE IS NO IMPACT <--
8 TO AVIATION SAFETY. Any person aggrieved by a decision of the
9 department to grant or deny a license for a new airport or
10 for a conversion of a military airport to joint use may take
11 an appeal as provided in Title 2 (relating to administrative
12 law and procedure). Nothing in this subsection shall be
13 construed as applying to the licensing of heliports, existing
14 airports, upgrading of existing airports or airports under
15 construction unless for conversion of military airports to
16 joint use.

17 * * *

18 Section 2. This act shall take effect in 60 days.