

SB1726



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1726

Introduced 2/9/2011, by Sen. Shane Cultra

SYNOPSIS AS INTRODUCED:

620 ILCS 5/49.1

from Ch. 15 1/2, par. 22.49a

Amends the Illinois Aeronautics Act. Provides that after the effective date of this amendatory Act, no person may create or construct any windmill which obstructs a restricted landing area. Further provides that no person may erect any windmill within 3,000 feet on either side of a restricted landing area or within 5,000 feet from the landing approach or departure surface end of the runway. Provides a definition of "restricted landing area" (rather than referring to regulations in effect in 1989) and defines "private use". Effective immediately.

LRB097 09937 HEP 50102 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Aeronautics Act is amended by
5 changing Section 49.1 as follows:

6 (620 ILCS 5/49.1) (from Ch. 15 1/2, par. 22.49a)

7 Sec. 49.1. Creation of hazards; windmills.

8 (a) No person may create or construct any airport hazard
9 which obstructs a restricted landing area or residential
10 airport that (1) serves 20 or more based aircraft, and (2) is
11 located within the "metropolitan region" as that term is
12 defined in the Regional Transportation Authority Act. For the
13 purpose of this Section, "based aircraft" are aircraft that are
14 regularly hangared or tied-down at the restricted landing area
15 or residential airport, or that use it as their primary base of
16 operation. As used in this Section 49.1, ~~"restricted landing~~
17 ~~area"~~ or "residential airport" shall have the meaning set forth
18 in regulations of the Department in effect on the effective
19 date of this amendatory Act of 1989, but shall not include
20 amendments of the regulations adopted by the Department
21 thereafter.

22 (b) After the effective date of this amendatory Act of the
23 97th General Assembly, no person may create or construct any

1 windmill which obstructs a restricted landing area. No person
2 may create or construct any windmill within 3,000 feet on
3 either side of a restricted landing area or within 5,000 feet
4 from the landing approach or departure surface end of the
5 runway.

6 (c) As used in this Section, "restricted landing area"
7 means any area of land, water, or both that is used or is made
8 available for the landing and takeoff of aircraft that is
9 intended for private use. "Private use" means a landing
10 facility that is not open to the general public. Use is limited
11 to the certificate holder and any other users as authorized by
12 the certificate holder.

13 (Source: P.A. 86-963.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.