



# HOUSE BILL 337: Unmanned Aircraft Systems Law Revisions.

2017-2018 General Assembly

<b>Committee:</b>	Senate Transportation. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	May 24, 2017
<b>Introduced by:</b>	Rep. Torbett	<b>Prepared by:</b>	Howard Marsilio Committee Counsel
<b>Analysis of:</b>	PCS to First Edition H337-CSRW-23		

**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 337 would: (1) clarify that State laws applicable to unmanned aircraft systems include model aircraft; (2) repeal a State law limitation on the use of special imaging technology on unmanned aircraft systems; (3) exempt unmanned aircraft systems used by emergency management agencies for emergency management purposes from State law restrictions on unmanned aircraft system uses; (4) align State law permitting requirements for commercial operation of unmanned aircraft systems with federal law; and (5) exempt model aircraft used for hobby or recreational purposes from State law testing and permitting requirements.*

*The PCS adds Section 5, and makes a technical change to the effective date.*

### CURRENT LAW:

G.S. 15A-300.1(a) defines various types of aircraft for the purposes of Article 16B, Use of Unmanned Aircraft Systems, which include: "manned aircraft"; "model aircraft"; "unmanned aircraft"; and "unmanned aircraft systems."

G.S. 15A-300.1(b) prohibits using a UAS for surveillance of a person or a dwelling occupied by a person or private lands without consent, or taking unauthorized photographs of individuals for public dissemination (except for newsgathering, newsworthy events, public events, or public places).

G.S. 15A-300.1(c) exempts law enforcement agencies from the general UAS use prohibitions in G.S. 15A-300.1(b) under certain circumstances, but emergency management agencies are not currently exempt from these general prohibitions in subsection (b).

G.S. 15A-300.1(d) states that a commercial and private UAS may be equipped with infrared or thermal imaging technology for only the purposes listed in subsection (d), such as scientific research and agricultural activities.

Article 10 of Chapter 63 of the General Statutes contains testing requirements for UAS operators, and commercial UAS operation permitting requirements.

### BILL ANALYSIS:

**Section 1** would clarify that State laws applicable to unmanned aircraft systems include model aircraft by removing the definition of "model aircraft" in G.S. 15A-300.1.

**Section 2** would repeal a State law limitation on the use of special imaging technology on commercial and private unmanned aircraft systems, by repealing G.S. 15A-300.1(d).

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**Section 3** would exempt unmanned aircraft systems used by emergency management agencies for emergency management purposes from State law restrictions on unmanned aircraft system uses; and specify the following as permissible emergency management functions: incident command; area reconnaissance; search and rescue; preliminary damage assessment; hazard risk management; and floodplain mapping.

**Section 4** would align State commercial unmanned aircraft system permitting law with federal commercial unmanned aircraft system operator regulations, and would clarify that the State criteria and requirements could not be more restrictive than federal regulations.

**Section 5** would exempt model aircraft used for hobby or recreational purposes from State law testing and permitting requirements for unmanned aircraft system operation in Article 10 of Chapter 63 of the General Statutes.

**EFFECTIVE DATE:** Section 1 of this act becomes effective December 1, 2017, and applies to offenses committed on or after that date, and acts occurring and causes of action arising on or after that date. The remainder of this act becomes effective when it becomes law.