



# HOUSE BILL 337: Unmanned Aircraft Systems Law Revisions.

2017-2018 General Assembly

---

<b>Committee:</b>		<b>Date:</b>	August 14, 2017
<b>Introduced by:</b>		<b>Prepared by:</b>	Howard Marsilio Staff Attorney
<b>Analysis of:</b>	S.L. 2017-160		

---

**OVERVIEW:** *S.L. 2017-160: (1) clarifies that State laws applicable to unmanned aircraft systems (UAS) include model aircrafts generally; (2) repeals a State law limitation on the use of special imaging technology on unmanned aircraft systems; (3) exempts unmanned aircraft systems used by emergency management agencies for emergency management purposes from certain State law restrictions; (4) aligns State law permitting requirements for commercial operation of unmanned aircraft systems with federal law; and (5) exempts model aircraft used for hobby or recreational purposes from State testing and permitting requirements.*

*This act became effective July 21, 2017, except for the emergency management agencies' UAS exception, which becomes effective December 1, 2017.*

## CURRENT LAW:

### Applicable Definitions

Current law defines several phrases to distinguish between various types of aircraft for the purposes of UAS, which include: "manned aircraft"; "model aircraft"; "unmanned aircraft"; and "unmanned aircraft systems."

### General Use Prohibitions

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) is currently prohibited, unless being used by law enforcement agencies under certain circumstances. Emergency management agencies are not currently exempt from these general prohibitions.

### Special Imaging Technology Limitation

State law currently only authorizes commercial or private individual use of infrared or thermal imaging technology for the specific purposes listed, such as scientific research and agricultural activities.

### Testing and Permitting Requirements

The Division of Aviation creates and administers a knowledge test related to operating an unmanned aircraft system, and no agent or agency of the State, or political subdivisions of the State may operate a unmanned aircraft system without completing the knowledge test. A person conducting a commercial UAS operation must obtain a permit pursuant to the statutory requirements.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

# House Bill 337

Page 2

## **BILL ANALYSIS:**

This act:

- Clarifies that State laws that apply to unmanned aircraft systems also apply to model aircrafts.
- Repeals the limitation on the use of special imaging technology on commercial and private unmanned aircraft systems.
- Exempts unmanned aircraft systems used by emergency management agencies for emergency management purposes from the general State law restrictions on unmanned aircraft system uses; and specifies the following as permissible emergency management functions: incident command; area reconnaissance; search and rescue; preliminary damage assessment; hazard risk management; and floodplain mapping.
- Aligns State commercial unmanned aircraft system permitting law with federal commercial unmanned aircraft system operator regulations, and clarifies that the State criteria and requirements cannot be more restrictive than federal regulations.
- Exempts model aircraft used for hobby or recreational purposes from State testing and permitting requirements for unmanned aircraft system operation.

**EFFECTIVE DATE:** This act became effective July 21, 2017, except for the emergency management agencies' UAS exception, which becomes effective December 1, 2017.