



**California Aviation Related Legislative
Bill Analysis Summary
Prepared by the
California Department of Transportation
Division of Aeronautics
September 30, 2016**

- *September 30th – Last day for the Governor to sign or veto bills passed by the Legislature before Sept. 1st and in the Governor's possession on or after Sept. 1st.*
- *November 8th – General Election*
- *November 30th – Adjournment Sine Die at midnight
(Lat. The final adjournment of a legislative session, without adjourning to a specific time or date; Adjournment without definitely fixing a day for reconvening; literally "adjournment without a day." Usually used to connote the final adjournment of a session of Congress or State Legislature.)*
- ***January 1st, 2017 – Statutes take effect.***

Senate Joint Resolution (SJR) 18, Senator Lois Wolk, District 3 – Small Unmanned Aircraft Systems

Status – May 20th – Enrolled and filed with the Secretary of State at 3:15 p.m.; May 20th – Chaptered by Secretary of State. Res. Chapter 43, Statutes of 2016.

SB 807, Senate Member Ted Gaines, District 1 – (Civil Code): relating to Unmanned Aircraft Systems (UAS) – Non-liability for Emergency Responders

This bill would ensure that any emergency responder would not be liable for damage to any Unmanned Aircraft System (UAS), if the damage was caused while the emergency responder was rendering emergency assistance, and the UAS was interfering with this assistance. This bill would also ensure that any public entity or public employee would not be liable for damage to any UAS, if the damage was caused while the public entity or employee was rendering emergency assistance, and the UAS was interfering with this assistance.

Status – September 8th – Enrolled and presented to the Governor; September 29th – Governor Enrolled; (not yet chaptered.)

SB 809 - Senate Member Ted Gaines, District - 1 (Penal Code): Unmanned Aircraft Systems (UAS) - School Restrictions

Status – January 28th – Referred to Committee on Public Safety and Education.

SB 810 - Senate Member Ted Gaines, District 1 – (Penal Code): Unmanned Aircraft Systems (UAS) – Fire Interference

Status – January 28th – Referred to Committee on Public Safety.

SB 811 – Senate Member Ted Gaines, District 1 – (Penal Code): Unmanned Aircraft Systems (UAS) – State Prison

Status – January 28th – Referred to Committee on Public Safety.

SB 1215 – Senate Member Ben Allen, District 26 – (Government Code): California Aerospace Commission

Status – April 18th hearing placed on Appropriations suspense file; May 20th – Set for hearing May 27th. May 27th – Hearing held in committee and under submission.

AB 1662 - Assembly Member Ed Chau, District 49 – (Public Utilities Code, starting with Par 6.5, Section 24455): Unmanned Aircraft Systems (UAS) – Reporting Accidents

This bill requires the operator of any unmanned aircraft system involved in an accident resulting in injury to an individual or damage to property shall immediately land the unmanned aircraft at the nearest location that will not jeopardize the safety of others. The operator shall also immediately do one of the following: Present valid identification, locate and notify the owner of the property, via written notice if necessary, by leaving it in a conspicuous place on the damaged property and notify the police department.

*Status – August 31st – Senate amendments concurred in; To Engrossing and Enrolling; September 2nd – Enrolled; **September 29th – Vetoed by the Governor.***

AB 1680 – Assembly Member Freddie Rodriguez, District 52 – (Penal Code): Unmanned Aircraft Systems (UAS) – Crimes: Emergency Personnel

Any person who goes to the scene of an emergency for the purpose of viewing the scene or activities of first responders, in the course of their duties, unless it is part of that person's employment to view the scene or activities, is guilty of a misdemeanor. For purposed of this bill, a person shall include a person who operates or uses an UAS.

*Status – August 16th – In Assembly, ordered to Engrossing and Enrolling; August 17th – Enrolled; August 29th – Presented to the Governor; **September 29th - Chaptered by the Secretary of State – Chapter 817, Statues of 2016.***

AB 1724 – Assembly Member Marie Waldron, District 75 – (Vehicle Code): Unmanned Aircraft Systems (UAS) – Identification Requirements

*Status – February 25th – Referred to Committee on Privacy and Community Protection; March 29th – In committee: Set, first hearing. Hearing cancelled at the request of author. **(DEAD)***

AB 1820 – Assembly Member Bill Quirk, District 20 – (Penal Code): Unmanned Aircraft Systems (UAS) – Law Enforcement Allowable Use
Status – June 28th – In Committee: Set, first hearing. Failed passage - Reconsideration Granted. (DEAD)

AB 2148 – Assembly Member Chris Holden, District 41 – (Fish and Game Code): Unmanned Aircraft Systems

This bill prohibits the operation of a drone over lands managed by the Department of Parks and Recreation or the Department of Fish and Wildlife.

These departments have authority to promulgate regulations regarding drone use within their respective jurisdictions. In fact, the Department of Parks and Recreation is in the process of developing a regulatory approach to this issue.

Status – September 8th – Enrolled and presented to the Governor; September 29th – Vetoed by the Governor.

AB 2320 – Assembly Member Ian Calderon, District 57; and Assembly member Evan Low, District 28 – (Penal Code): Unmanned Aircraft Systems

This bill prohibits the operation of a drone in a manner that violates a protective order, constitutes stalking, interferes with emergency response personnel, or facilitates delivery of contraband into a jail or prison. The bill also allows a court to bar a registered sex offender from operating a drone.

Status – August 31st – Enrolled and Presented to the Governor; September 29th – Vetoed by the Governor.

AB 2600 – Assembly Member Tom Lackey, District 36 – (Education Code): California Institute for Aerospace

Status – April 27th – In committee: Set, first hearing, Referred to Appropriations suspense file. May 27th – In committee: held under submission.

AB 2724 – Assembly Member Mike Gatto, District 43 – (Section 9570 – Division 4 of the Civil Code relating to UAS): Unmanned Aircraft Systems: Liability of first responders

This bill may be cited as the Drone Registration Omnibus Negligence Prevention Enactment (DRONE) Act.

This bill mandates that drone hobbyists be covered by adequate liability insurance when operating drones and requires drone manufacturers to install “geo-fencing” software on drones that are equipped with global positioning satellite technology.

This bill creates significant regulatory confusion by creating a patchwork of federal, state, and local restrictions on airspace. Moreover, the Federal Aviation Administration will likely assert federal preemption on the bill’s “geo-fencing” requirements.

Status – August 30th – To Engrossing and Enrolling; August 31st – Enrolled and to the Governor; September 29th – Vetoed by the Governor.

* Governor Brown vetoed the following two year bills which were carried over from 2015, and not addressed this year:

Senate Bill 168 – Existing law makes it a misdemeanor to engage in disorderly conduct that delays or prevents a fire from being timely extinguished or to resist or interfere with the lawful efforts of a firefighter in the discharge of an official duty. Existing law makes it a misdemeanor to impede police officers, firefighters, emergency personnel, or military personnel in the performance of their duties in coping with an emergency.

Senate Bill 170 – Existing state law generally prohibits a person from bringing, possessing, distributing, or selling certain devices and substances, including, among other things, alcoholic beverages, controlled substances, and deadly weapons, in state prison or a jail. Existing law also prohibits unauthorized communication with inmates in state prison or a jail. This bill would make a person who knowingly and intentionally operates an unmanned aircraft system on or above the grounds of a state prison or a jail guilty of a misdemeanor.

Senate Bill 271 – Existing law provides that a person who comes into any school building or upon any school ground, or adjacent street, sidewalk, or public way, whose presence or acts interfere with or disrupt a school activity, without lawful business, or who remains after having been asked to leave, as specified, is guilty of a misdemeanor. This bill would make it an infraction to knowingly and intentionally operate an unmanned aircraft system on the grounds of, or less than 350 feet above ground level within the airspace overlaying, a public school providing instruction K-12, inclusive, during school hours and without the written permission of the school principal or higher authority or his or her designed, or equivalent school authority.

Governor Brown's Message:

Each of these bills creates a new crime – usually by finding a novel way to characterize and criminalize conduct that is already proscribed. This multiplication and particularization of criminal behavior creates increasing complexity without commensurate benefit. Over the last several decades, California's criminal code has grown to more than 5,000 separate provisions, covering almost every conceivable form of human misbehavior. During the same period, our jail and prison populations have exploded. Before we keep going down this road, I think we should pause and reflect on how our system of criminal justice could be made more human, more just and more cost-effective. Sincerely, Edmund G. Brown Jr.