California Aviation Related Legislative
Bill Analysis Summary
Prepared by the
California Department of Transportation
Division of Aeronautics
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- *August 1st – Legislature reconvenes from summer recess.*
- *August 12th – Last day for fiscal committees to meet and report bills.*
- *August 15th – Floor sessions only; no committees may meet for any purpose.*
- *August 19th – Last day to amend on the floor*

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

This measure would request the President of the United States and the United States Secretary of Transportation to allow for the operation of small unmanned aircraft systems by farmers and rangeland managers pursuant to emergency rules adopted by the administration, as specified. Several University of California campuses and the California State University system are developing precision agriculture applications with sUAS to help save water and improve crop and environmental monitoring. The Mechatronics Embedded Systems and Automation Lab at the University of California, Merced, has developed numerous innovations for precision agricultural management with sUAS and with the draught in California, emergency assistance in this area is being requested.

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 – June 28th from Committee on Appropriations: Do pass and re-refer to Com. On APPR. With recommendation: To consent calendar (Ayes 10. Noes 0.) Re-referred to Com. On APPR.

SB 808, *Senate Member Ted Gaines, District 1 – (Penal Code): Unmanned Aircraft Systems (UAS) – Protective Orders*

This bill would specifically prohibit a person who is prohibited from coming within a specified distance of another person, from operating an unmanned aircraft system in a way that causes an unmanned aircraft to fly within the prohibited distance of the other person, or from capturing images of the other person by using an unmanned aircraft system. By creating a new crime, the bill would impose a state-mandated local program.

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

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

This bill would make it an infraction to knowingly 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 in kindergarten or grades 1 to 12, during school hours and without the written permission of the school principal or higher authority. This bill would also make it an infraction to knowingly use a UAS to capture images of public school grounds providing instruction in K-12 during the school hours without written permission.

The bill would define school hours as during any school session, extracurricular activity, or event sponsored by or participated in by the school and the one hour periods immediately preceding and following any activity or event. The bill would provide for a warning for a first violation and a fine or no more than $200 for each subsequent violation.

The bill would exempt from its provision any publisher, editor, reporter, or other specified person, as well as law enforcement and any entity which the Federal Aviation Administration (FAA) has authorized the use of an UAS if operated under the terms of that authorization.

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*

This bill would make it unlawful to knowingly, intentionally, or recklessly operate an unmanned aircraft or unmanned aircraft system, in a manner that prevents or delays the extinguishment of a fire, or in any way interferes with the efforts of firefighters to control, contain, or extinguish a fire. The bill would make a violation of this prohibition punishable by imprisonment in a county jail not to exceed 6 months, by a fine not to exceed $5,000, or by both that imprisonment and fine.

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*

This bill would make a person who knowingly and intentionally operates an Unmanned Aircraft System (UAS) on or above the grounds of a state prison or a jail guilty of a misdemeanor. The bill would make these misdemeanor provisions inapplicable to a person employed by the prison or jail acting within the scope of his or her employment, or a person who receives prior permission from the Department of Corrections and Rehabilitation or the county sheriff. The bill would also make these misdemeanor provisions inapplicable to any entity that is authorized by the Federal Aviation Administration to use an UAS and operates it in accordance with the terms and conditions of the authorization. By creating new crimes, the bill would impose a state-mandated local program.

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

SB 868 – *Senate Member Hannah-Beth Jackson, District 19 – **(Public Utilities Code)**: Unmanned Aircraft Systems (UAS) – Remote Piloted Aircraft Act*

The bill would establish conditions for operating remote piloted aircraft, including the procurement of liability insurance. The bill would authorize the department to adopt reasonable rules and regulations governing the conditions under which remote piloted aircraft may be operated for the purpose of protecting and ensuring the general public interest and safety and the safety of persons operating remote piloted aircraft - Unmanned Aircraft System (UAS).

The bill would authorize the department to make and amend rules, orders, and procedures, and establish minimum standards consistent with the act, to assist political subdivisions and their law enforcement agencies, and to enter into any contracts necessary to remain consistent with the act. The bill would provide that a person or entity injured or aggrieved by any procedure or action of the department with respect to remote piloted aeronautics may appeal to the California Transportation Commission (CTC) for relief. The bill would provide that the provisions of the act are severable. The bill would make a violation of the act or any rule or order issued pursuant to the act punishable in the same manner as a violation of the State Aeronautics Act, which would make violations subject to criminal penalties.

The bill would authorize the Office of Emergency Services to adopt reasonable rules and regulations and to make and amend general or special rules, orders, and procedures with respect to operating a remote piloted aircraft in certain circumstances, including operating a remote piloted aircraft within 500 feet of critical infrastructure.

This bill provides several definitions, including a different definition of "Aircraft" other than what is in the current PUC code; "Aircraft" means any manned contrivance used or designed for navigation of, or flight in, the air requiring certification and registration as prescribed by federal statute or regulation. Notwithstanding the foregoing provisions of this section, manned lighter-than-air balloons and ultralight vehicles as defined in the regulations of the Federal Aviation Administration (14 C.F.R. Part 103), whether or not certificated by the Federal Aviation Administration, shall not be considered to be aircraft for purposes of this part. *"Aircraft" does not include remote piloted aircraft, as defined in Section 21753.*

Status — June 9th – Referred to Commission on Public Safety and Committee on Privacy and Community Protection. June 21st – Set for first hearing. Failed passage in Committee. (Ayes 3, Noes 4) Reconsideration granted. (DIED)

SB 1215 – *Senate member Ben Allen, District 26 – (Government Code): California Aerospace Commission*
This bill would establish the development of activities in California related to aerospace, including aviation, commercial and governmental space travel, unmanned aerial vehicles, aerospace education and job training, infrastructure and research launches, manufacturing, academic research, applied research, economic diversification, business development, tourism, and education. This commission would also be the recipient of grants from state or local government sources or from private businesses or individuals, for California aero-space-related activities, including, but not limited to, studies, services, infrastructure improvements and modernization.

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.

SB 1246 – *Senate member Janet Nguyen, District 34 – (Food and Agricultural Code), and the (Health and Safety Code) relating to Pesticides and UAS:*
This bill would require pest control operators, pest control businesses, and mosquito abatement and vector control districts, at least 7 days before administering pesticides by aircraft or unmanned aircraft systems over a residential area, to notify various people and entities, including affected governmental agencies, school districts, and chambers of commerce, except as specified due to the presence of an emergency outbreak that threatens the public health or other extenuating circumstances that warrant an immediate response. The bill would impose a state-mandated local program.

Status – April 5th – From committee with author's amendments. Read second time and amended. Re-referred to Committee on Environmental Quality; April 20th – April 20th set for second hearing cancelled at the request of author. (DIED)

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. Moving the unmanned aircraft in accordance with this subdivision does not affect the question of fault. 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.

A person who fails to comply with these requirements is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months or by a fine not exceeding one thousand dollars, or by both that imprisonment and fine. However, this section does not apply to law enforcement officers.

Status - May 26th - to Committee on Rules for assignment; referred to Commission on Public Safety. June 21st – From committee: Do pass and re-refer to Committee on Appropriations. (Ayes 6, Noes 1).

AB 1680 – *Assemblyman 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 – May 26th - Referred to Committee on Public Safety. June 22nd – From Committee: Do pass and re-refer to Committee on Appropriations (Ayes 7 and Noes 0).

AB 1724 – *Assembly member Marie Waldron, District 75 – (Vehicle Code): Unmanned Aircraft Systems (UAS) – Identification Requirements*
This bill would require, beginning January 1, 2017, a person or public or private entity that owns or operates an unmanned aircraft, to place specific identifying information or digitally store identifying information on the unmanned aircraft. The bill would exempt model aircraft, from that requirement. The bill would make a person or entity that violates that provision liable for a civil fine not to exceed $2,500. The bill would authorize the Attorney General, a district attorney, county counsel, or a city attorney to bring an action to recover that fine.

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. (Died)

AB 1820 – *Assembly member Bill Quirk, District 20 – (Penal Code): Unmanned Aircraft Systems (UAS) – Law Enforcement Allowable Use*
This bill describes the allowable and unallowable uses for an Unmanned Aircraft System (UAS) by law enforcement agencies; what data can and cannot be kept longer than one year, what purposes require a warrant, who has access to the data obtained, the training required for use of an UAS, etc. And it specifically states that a UAS cannot not be armed. The bill requires that the law enforcement agency complies with all applicable federal, state, and local law and the UAS policy developed by the law enforcement agency pursuant to the bill's provisions. This bill is not intended to conflict with or supersede federal law, including rules and regulations of the Federal Aviation Administration (FAA).

Status – June 22nd – From Committee: Do pass and re-refer to Committee on Judicial (Ayes 5. Noes 2). June 28th – In Committee: Set, first hearing. Failed passage Reconsideration Granted. (Died)

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

This bill would make it unlawful for any person to launch, land, or operate an unmanned aircraft system from Dept. of Fish and Wildlife and Dept. of Parks and Recreation managed lands or waters, except as authorized by these departments or unless exempted from the prohibition. It would also make it unlawful to use an UAS to take, or assist in the take of, fish or wildlife, including, but not limited to the use of UAS for scouting purposes. Because violations of the provisions of the bill would be crimes, the bill would impose a state-mandated local program, and no reimbursement is required of this act.

The department shall consider protecting wildlife from disturbance and protecting sensitive species, including endangered species. Protecting natural, cultural and historic values of state lands as well. Consideration will be provided for permitting appropriate use of UAS for conservation and scientific research purposes. Additionally, the department shall allow minimal access by adjacent landowners for agricultural purposes.

Status – June 9th – Referred to Committee on Natural Resources and Wildlife. June 22nd – From Committee chair, with author's amendments: Amend, and re-refer to Committee; Read second time, amended, and re-referred to Committee on Natural Resources and Wildlife.

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

This bill would state the intent of the Legislature to enact legislation that will regulate unmanned aircraft systems. Specific to the Public Utilities Code is the proposal to authorize by statute, the authority to regulate the ownership or operation of UAS vested solely in the state. A city, county or other local government entity shall not enact an ordinance or resolution that regulates the ownership or operation of unmanned aircraft systems. A city, county or other local government entity cannot otherwise engage in the regulation of the ownership or operation of unmanned aircraft.

Status – May 26th – Referred to Committee on Public Safety. June 21st – From Committee: Do pass and re-refer to Committee on Appropriations. (Ayes 7, Noes 0).

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

This bill would express legislative findings and declarations relating to the aerospace industry in this state and request the regents to locate the California Institute for Aerospace at a satellite campus within 20 miles of Edwards Air Force Base or United States Air Force Plant 42 so it will be in close proximity to a large part of California's current aerospace research and development.

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. A person who manufactures an unmanned aircraft for sale in this state shall include with the unmanned aircraft both of the following: (1) A copy of FAA safety regulations applicable to unmanned aircraft; (2) If the unmanned aircraft is required to be registered with the FAA, a notification of that requirement; (b) An unmanned aircraft equipped with global positioning satellite mapping capabilities shall also be equipped with geofencing technological capabilities that prohibit the unmanned aircraft from flying within five miles of an airport. The owner of a UAS shall procure adequate protection against liability imposed by law on owners of UAS including the payment of damages for personal bodily injuries and death, and for property damage, resulting from the operation of the UAS.

The owner of a UAS shall procure adequate protection against liability imposed by law on owners of UAS including the payment of damages for personal bodily injuries and death, and for property damage, resulting from the operation of the UAS.

This part does not apply to a UAS pursuant to a current commercial operator exemption issued pursuant to Section 333 of the Federal Aviation Modernization and Reform Act of 2012, or other commercial operator authorization granted by the FAA.

This part shall become operative on January 1, 2020.

Status – June 9th – Referred to Commission on Transportation and Housing and Judicial. June 22nd – From Committee: Do pass and re-refer to Committee on Judiciary. (Ayes 7. Noes 2)