California Aviation Related Legislative
Bill Analysis Summary
Prepared by the
California Department of Transportation
Division of Aeronautics
July 17, 2015

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- July 17, 2015: Last day for policy committees to meet and report bills.
- July 17, 2015: Summer recess begins upon adjournment, provided Budget Bill has been passed.
- August 17, 2015: Legislature reconvenes from Summer Recess
- August 28, 2015: Last day for fiscal committees to meet and report bills to the floor.
- August 31-Sept. 11: Only Rules committee and Conference Committees may meet.

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AB 14, *Assembly Member Waldron, District 75 – (Government Code): relating to Unmanned Aircraft Systems) (UAS)*

This bill would create the Unmanned Aircraft Systems (UAS) Task Force. The task force would be responsible for formulating a comprehensive plan for state regulation of UAS. The task force would be required to submit, among other things, a comprehensive policy draft and suggested legislation pertaining to unmanned aircraft to the Legislature and the Governor on or before January 1, 2018. The Task Force would be operating as an ongoing working group reporting ongoing activity, commenting on FAA policy development and anticipating California's needs for high technology, etc. The bill would provide that these provisions are repealed on January 1, 2022.

**The Division has not been requested to analyze this bill since it is simply the formation of a task force; (The Division is watching this bill progress and including amendments.)*

***Status** – April 13th - In committee: Set, first hearing, failed passage. Reconsideration granted.*

AB 56, *Assembly Member Quirk, District - 20 (Government Code): Unmanned Aircraft Systems (UAS)*

Notwithstanding any provision of this chapter, images, footage or data obtained through the use of an UAS are public records subject to disclosure. Nothing requires the disclosure of this information if it would endanger the safety of a person involved in an investigation or the successful completion of the investigation.

This bill would prohibit law enforcement agencies from using unmanned aircraft systems (UAS), with certain exceptions, including when the use or operation of an UAS complies with specified provisions. Prior to use of a UAS, the law enforcement agency must comply with protections against unreasonable searches guaranteed by the United States Constitution, the California Constitution, and federal law applicable to the use of a UAS.

The bill would prohibit a law enforcement agency from using a UAS to surveil private property unless the law enforcement agency obtains a search warrant and an individual who has been harmed by a violation of the bills' provisions to bring a civil action against a person knowingly causing that violation and would allow the court to award damages.

It would also require images, footage, or data of private property obtained during a mission to be permanently destroyed within one year and would generally prohibit images, footage, or data to be obtained from the law enforcement agency except as specified. Unless authorized by federal law, the bill would prohibit a person or entity, including a law enforcement agency from equipping or arming UAS with a weapon or other device that may be carried by or launched from UAS and that is intended to cause bodily injury, death, or damage to real or personal property. And, a law enforcement agency may use UAS over private property if it has obtained consent from the property owner or a warrant based on probable cause. There are additional exceptions specified at length within the proposal.

Status – *July 7th – from committee: pass and refer to Committee on Judiciary; ayes 4, noes 2; re-referred to Committee on Judiciary. July 15th – Amend and do pass as amended and re-referred to Committee on Appropriations. (Ayes 5, Noes 2); July 16th – Read second time and amended. Re-referred to Committee on Appropriations.*

SB 142, *Senate Member Jackson, District 19 - (Civil Code) and (Public Utilities Code): Unmanned Aerial Vehicles (UAV)*

Existing law imposes liability for physical invasion of privacy, if a person enters onto the land of another person pursuant to subdivision (a) of Section 1708.8 if he or she: operates an UAV below the navigable airspace overlaying real property; operates an UAV less than 350 feet above ground level within the airspace overlaying the real property; a person wrongfully occupies real property and is liable for damages, without permission. This bill shall not be construed to impair or limit any otherwise lawful activities of lawful enforcement personnel or employees of governmental agencies or other public or private entities that may have the right to enter land by operating a UAS pursuant to subdivision (d) of Section 1009. This bill would also amend the Public Utilities Code (PUC) by adding an additional sentence in Section 21012: "Aircraft" shall not include an unmanned aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Status – *July 8th – From committee: Do pass and re-refer to Committee on Judiciary (Ayes 11, Noes 0); Re-referred to Committee on Judiciary. July 14th – From committee: Do pass (Ayes 9, Noes 1); July 15th – Read second time. Ordered to third reading.*

SB 271, *Senate Member Gaines, District 1 – (Penal Code): Unmanned Aircraft Systems (UAS)*
This bill would make it an infraction to operate an unmanned aircraft system on or above the grounds of a public school providing instruction in kindergarten or grades 1 to 12 inclusive, during school hours and without written permission of the school principal or higher authority. It would also make it an infraction to capture public images the public school grounds, during school hours and without written permission. School hours would be considered during school session, extracurricular activity, or event sponsored by or participated in by the school and the one-hour periods immediately preceding and following any session, activity or event.

This bill would provide for a warning upon a first conviction and a fine of no more than $200 for the each subsequent violation of its provisions.

Status – *July 16th – From committee: Do pass and re-refer to Committee on Appropriations. (Ayes 7, Noes 0) Re-referred to Committee on Appropriations; July 16th – From committee with author's amendments. Read second time and amended. Re-referred to Committee on Appropriations.*

AB 360, *Assembly Member Melendez, District 67 – (PUC Code): Evaluation of Airports*
Slightly modifies the language in the PUC Code under Section 21632 (a)-(g), Acquisition of Existing Facilities. The modifications are insignificant as presented, (minor word adjustments, i.e., replacing "prior to" for "before", etc.) This bill reiterates the existing language in the PUC which explains the Division's duties in evaluating the importance of an airport. This bill proposes to modify the duration of the comment period from the California Transportation Commission (CTC), from 45 days to 50 days.

Status – *April 6th – Re-referred to Committee on Transportation; April 8th - In committee: Hearing postponed by committee.*

SB 747, *Senator McGuire, District 2 – (PUC Code): Relating to Airports – Financial Assistance: Grant Program*
This bill would require the Department of Transportation to adopt and administer a grant program for the purpose of funding specified infrastructure projects to maintain and improve airport facilities and infrastructure owned or operated by a commercial service airport or general aviation airport.

Status – *May 28th – Held in committee and under submission – dead.*

AB – 1455, *Assembly Members Rodriguez, District 52, and Gomez, District 51 – (PUC Code): An act to add Division 17.5 (Commencing with Section 175000) to the PUC, relating to Airports.*

This bill would authorize the City of Ontario to issue revenue bonds for the purpose of financing the acquisition of the Ontario International Airport from the City of Los Angeles that are secured solely by the revenues and charges at the Ontario International Airport.

Status – *June 30th – From Committee Chair, with author's amendments: amend, and re-refer to committee. Read second time, amended, and re-referred to Committee on Governance and Finance. July 8th – In committee: Set, first hearing. Hearing cancelled at the request of author.*