



**California Aviation Related Legislative  
Bill Analysis Summary  
Prepared by the  
California Department of Transportation  
Division of Aeronautics  
April 22, 2016**

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- *April 22<sup>nd</sup> – Last Day for Policy Committees to hear and report to Fiscal Committees, Fiscal bills*
- *May 6<sup>th</sup> – Last Day for Policy Committees to hear and report to the Floor **non-fiscal** bills introduced in their house.*
- *May 13<sup>th</sup> – Last Day for policy committees to meet prior to June 6<sup>th</sup>.*
- *May 27<sup>th</sup> – Last day for fiscal committees to hear and report to the Floor bills introduced in their house.*
- *May 27<sup>th</sup> – Last day for fiscal committees to meet prior to June 6<sup>th</sup>.*
- *May 31<sup>st</sup> – June 3<sup>rd</sup> – Floor Session Only*

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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 – Sept. 9 2015 – Referred to the Committee on Privacy and Community Protection; March 8, 2016 – From committee with author’s amendments. Read second time and amended. Re-referred to Committee on Privacy and Community Protection.*

**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, public entity or public employee 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.

*Status – April 11<sup>th</sup> - From committee: ordered to second reading pursuant to Senate Rule 28.8; April 12<sup>th</sup> – Read second time. Ordered to third reading.*

**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 28<sup>th</sup> – Referred to Committee 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 28<sup>th</sup> – 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 28<sup>th</sup> – 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 28<sup>th</sup> – 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 of Transportation (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 – April 5<sup>th</sup> – from committee: Do pass and re-refer to Committee on Public Safety; April 7<sup>th</sup> – Set for hearing April 19<sup>th</sup> – From committee with author’s amendments. Read second time and amended. Re-referred to Committee on Public Safety. April 19<sup>th</sup> – moved forward*

**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 aerospace-related activities, including, but not limited to, studies, services, infrastructure improvements and modernization.

*Status – April 5<sup>th</sup> – From committee: Do pass and re-refer to Committee on Appropriations; April 8<sup>th</sup> – set for hearing on April 18<sup>th</sup>; April 18<sup>th</sup> hearing placed on Appropriations suspense file.*

**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 an 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 - April 6<sup>th</sup> – From committee: Do pass and re-refer to Committee on Transportation; April 19<sup>th</sup> – From committee: Do pass and re-refer to Committee on Appropriations.*

**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 purposes of this bill, a "person" shall include a person who operates or uses an UAS.

*Status – April 14<sup>th</sup> – Read second time. Ordered to Consent Calendar; April 21<sup>st</sup> – From Consent Calendar; April 21<sup>st</sup> – Ordered to third reading.*

**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 25<sup>th</sup> – Referred to Committee on Privacy and Community Protection; March 29<sup>th</sup> – In committee: Set, first hearing. Hearing cancelled at the request of author.*

**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 – April 19<sup>th</sup> – In Committee on Privacy and Community Protection, set first hearing. Failed passage. April 21<sup>st</sup> – Joint Rule 62(a) file notice suspended; April 21<sup>st</sup> – In committee: Reconsideration granted by unanimous consent; April 21<sup>st</sup> – From committee: Do pass and re-refer to Committee on Appropriations.*

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

This bill would require the department to develop guidelines for the use of the unmanned aircraft systems, over public lands managed by the department.

*Status – April 13<sup>th</sup> – Referred to Committee on Water, Parks and Wildlife; April 21<sup>st</sup> – From committee: Amend, and do pass as amended and re-refer to Committee on Appropriations.*

**AB 2320 – Assembly member Ian Calderon, District 57; and Assembly member Evan Low, District 28 – (Penal Code) and the (Public Utilities 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 – April 13<sup>th</sup> – From Committee: Do pass and re-refer to Committee on Local Government; April 21<sup>st</sup> – Amend and do pass as amended and re-refer to Committee on Appropriations.*

**AB 2724** – Assembly member Mike Gatto, District 43 – (An act relating to UAS): Unmanned Aircraft Systems: Liability of first responders

This bill would state the intent of the Legislature to enact legislation that would provide immunity for first responders who damage or destroy drones that interfere with emergency operations.

*Status – March 17<sup>th</sup> - From committee chair, with author's amendments: Amend, and re-refer to Committee on Privacy & Community Protection; Read second time and amended. March 28<sup>th</sup> – Re-referred to Committee on Privacy & Community Protection.*