

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 337
Mar 14, 2017
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH30142-ML-95 (02/17)

Short Title: Unmanned Aircraft Systems Law Revisions. (Public)

Sponsors: Representative Torbett.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS REVISIONS TO THE LAWS GOVERNING THE USE OF
3 UNMANNED AIRCRAFT SYSTEMS.

4 The General Assembly of North Carolina enacts:

5
6 **MODEL AIRCRAFTS/REMOVE EXEMPTION FROM UNMANNED AIRCRAFT**
7 **SYSTEMS LAWS**

8 **SECTION 1.** G.S. 15A-300.1(a) reads as rewritten:

9 "(a) Definitions. – The following definitions apply to this Article:

10 ...

11 (2) ~~Model aircraft. — An aircraft, as defined in G.S. 63-1, that is mechanically~~
12 ~~driven or launched into flight and that meets all of the following requirements:~~

13 a. ~~Is flown solely for hobby or recreational purposes.~~

14 b. ~~Is not used for payment, consideration, gratuity, or benefit, directly or~~
15 ~~indirectly charged, demanded, received, or collected, by any person for~~
16 ~~the use of the aircraft or any photographic or video image produced by~~
17 ~~the aircraft.~~

18 (3) Unmanned aircraft. – An aircraft, as defined in G.S. 63-1, that is operated
19 without the possibility of human intervention from within or on the aircraft and
20 that does not meet the definition of model aircraft.

21"

22
23 **REMOVE RESTRICTION ON USE OF SPECIAL IMAGING TECHNOLOGY**

24 **SECTION 2.** G.S. 15A-300.1(d) is repealed.

25
26 **EMERGENCY MANAGEMENT EXCEPTION**

27 **SECTION 3.** G.S. 15A-300.1 is amended by adding a new subsection to read:

28 "(c1) Emergency Management Exception. – Notwithstanding the provisions of subsection
29 (b) of this section, an emergency management agency, as defined in G.S. 166A-19.3, may use
30 unmanned aircraft systems for all functions and activities related to emergency management,
31 including incident command, area reconnaissance, search and rescue, preliminary damage
32 assessment, hazard risk management, and floodplain mapping."

33
34 **ALIGN WITH FEDERAL LAW STANDARD**

35 **SECTION 4.** G.S. 63-96 reads as rewritten:

36 "**§ 63-96. Permit required for commercial operation of unmanned aircraft systems.**"



* D R H 3 0 1 4 2 - M L - 9 5 *

1 ...

- 2 (b) No person shall be issued a permit under this section unless all of the following apply:
- 3 (1) ~~The person is at least 16 years of age.~~ the minimum age required by federal
- 4 regulation for operation of an unmanned aircraft system.
- 5 (2) ~~The person possesses a valid drivers license issued by any state or territory of~~
- 6 ~~the United States or the District of Columbia.~~ government-issued photographic
- 7 identification acceptable to the Federal Aviation Administration for issuing
- 8 authorization to operate an unmanned aircraft system.
- 9 (3) The person has passed the knowledge test for operating an unmanned aircraft
- 10 system as prescribed in G.S. 63-95(b).
- 11 (4) The person has satisfied all other applicable requirements of this Article or
- 12 federal regulation.

13 ...

14 (d) The Division shall develop and administer a program that complies with all applicable

15 federal regulations to issue permits to operators of unmanned aircraft systems for commercial

16 ~~purposes.~~ purposes, including a fee structure for permits. Criteria and requirements established

17 under the subdivisions set forth in this subsection shall be no more restrictive than the rules or

18 regulations adopted by the Federal Aviation Administration setting forth the criteria and

19 requirements under which a person may operate an unmanned aircraft system for commercial

20 purposes. The program must include the following components:

21 ...

- 22 (2) ~~A fee structure for permits.~~

23 ...

- 24 (7) A designation of the geographic area within which a permittee shall be
- 25 authorized to operate an unmanned aircraft system. ~~The rules adopted by the~~
- 26 ~~Division for designating a geographic area pursuant to this subdivision shall be~~
- 27 ~~no more restrictive than the rules or regulations adopted by the Federal~~
- 28 ~~Aviation Administration for designating a geographic area for the commercial~~
- 29 ~~operation of unmanned aircraft systems.~~

30 ...

31 (f) ~~The~~ Subject to the limitations set forth in subsection (d) of this section, the Division

32 may issue rules and regulations to implement the provisions of this section."

33 **EFFECTIVE DATE**

34 **SECTION 5.** This act is effective when it becomes law.

35