

SB 109 STAFF MEASURE SUMMARY

Carrier: Sen. Patterson

Senate Committee On Natural Resources and Wildfire Recovery

Action Date: 02/22/21
Action: Do pass.
Vote: 4-1-0-0
Yeas: 4 - Golden, Kennemer, Patterson, Prozanski
Nays: 1 - Heard
Fiscal: No fiscal impact
Revenue: No revenue impact
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Meeting Dates: 2/1, 2/22

WHAT THE MEASURE DOES:

Directs State Parks and Recreation Commission to adopt rules managing the use of unmanned aircraft systems (systems) by people in state parks to protect natural, cultural, scenic, and recreational resources in a park property or adjacent area while providing for enjoyment of recreational use of such systems. Specifies that rules may allow the State Parks and Recreation Department and its agents and contractors to use systems to carry out department duties and the use of such systems for resource management, emergency operations, or property protection.

ISSUES DISCUSSED:

- Drones are an increasingly popular form of recreation in state parks; potential impacts
- Park managers currently making case-by-case decisions on use of drones
- No authority for agency to regulate air space over parks; rules may only affect take offs and landings inside park boundaries
- Need to coordinate with other federal and state regulators of drones
- Agency plans for convening rules advisory committee if measure passes

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Unmanned aircraft systems (UAS), commonly known as drones, are subject to regulation by the Federal Aviation Administration; states have also enacted laws governing their use. In 2013, the Legislative Assembly enacted House Bill 2710, which provided guidance and restrictions on the use of an UAS. In 2016, the Legislative Assembly created a Class A violation for the reckless operation of an UAS, which includes using an UAS to recklessly direct a laser at an aircraft while the aircraft is in the air, crash into an aircraft while the aircraft is in the air, or prevent the takeoff or landing of an aircraft. In 2019, the legislature elevated this violation to a Class A misdemeanor if the action is done knowingly or intentionally or is a second or subsequent conviction for recklessly operating an UAS. (Senate Bill 581, 2019)

Senate Bill 109 would direct the State Parks and Recreation Commission to adopt rules managing the use of drones in state parks for specified purposes.