

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 337
Senate Transportation Committee Substitute Adopted 5/24/17

Short Title: Unmanned Aircraft Systems Law Revisions.

(Public)

Sponsors:

Referred to:

March 15, 2017

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~~
13 ~~requirements:~~

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

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

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

22"

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

25 **SECTION 2.** G.S. 15A-300.1(d) is repealed.

26
27 **EMERGENCY MANAGEMENT EXCEPTION**

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

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

34
35 **ALIGN WITH FEDERAL LAW STANDARD**

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



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1 **"§ 63-96. Permit required for commercial operation of unmanned aircraft systems.**

2 ...
3 (b) No person shall be issued a permit under this section unless all of the following
4 apply:

- 5 (1) The person is at least 16 years of age, the minimum age required by federal
6 regulation for operation of an unmanned aircraft system.
7 (2) The person possesses a valid drivers license issued by any state or territory
8 of the United States or the District of Columbia, government-issued
9 photographic identification acceptable to the Federal Aviation
10 Administration for issuing authorization to operate an unmanned aircraft
11 system.
12 (3) The person has passed the knowledge test for operating an unmanned
13 aircraft system as prescribed in G.S. 63-95(b).
14 (4) The person has satisfied all other applicable requirements of this Article or
15 federal regulation.

16 ...
17 (d) The Division shall develop and administer a program that complies with all
18 applicable federal regulations to issue permits to operators of unmanned aircraft systems for
19 commercial ~~purposes.~~ purposes, including a fee structure for permits. Criteria and requirements
20 established under the subdivisions set forth in this subsection shall be no more restrictive than
21 the rules or regulations adopted by the Federal Aviation Administration setting forth the criteria
22 and requirements under which a person may operate an unmanned aircraft system for
23 commercial purposes. The program must include the following components:

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

33 ...
34 (f) ~~The~~ Subject to the limitations set forth in subsection (d) of this section, the Division
35 may issue rules and regulations to implement the provisions of this section."
36

37 **EXEMPT MODEL AIRCRAFT USED FOR HOBBY OR RECREATIONAL**
38 **PURPOSES FROM TRAINING AND PERMITTING REQUIREMENTS OF STATE**
39 **LAW**

40 **SECTION 5.** Article 10 of Chapter 63 of the General Statutes is amended by
41 adding a new section to read:

42 **"§ 63-94. Applicability of Article.**

43 (a) Applicability. — This Article does not apply to model aircraft, as defined in
44 subsection (b) of this section.

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

- 47 a. Is flown solely for hobby or recreational purposes.
48 b. Is not used for payment, consideration, gratuity, or benefit, directly or
49 indirectly charged, demanded, received, or collected, by any person for the
50 use of the aircraft or any photographic or video image produced by the
51 aircraft."

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EFFECTIVE DATE

SECTION 6. Section 1 of this act becomes effective December 1, 2017, and applies to offenses committed on or after that date and acts occurring and causes of action arising on or after that date. The remainder of this act is effective when it becomes law.