



937444

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/21/2017	.	
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The Committee on Criminal Justice (Young) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 55 - 115  
and insert:

(c) "Unmanned aircraft system" means a drone and its associated elements, including communication links and the components used to control the drone which are required for the pilot in command to operate the drone safely and efficiently.

(3) REGULATION.—

(a) The authority to regulate the operation of unmanned



937444

11 aircraft systems is vested in the state except as provided in  
12 federal regulations, authorizations, or exemptions.

13 (b) Except as otherwise expressly provided, a political  
14 subdivision may not enact or enforce an ordinance or resolution  
15 relating to the design, manufacture, testing, maintenance,  
16 licensing, registration, certification, or operation of an  
17 unmanned aircraft system, including airspace, altitude, flight  
18 paths, equipment or technology requirements; the purpose of  
19 operations; and pilot, operator, or observer qualifications,  
20 training, and certification.

21 (c) This subsection does not limit the authority of a local  
22 government to enact or enforce local ordinances relating to  
23 nuisances, voyeurism, harassment, reckless endangerment,  
24 property damage, or other illegal acts arising from the use of  
25 unmanned aircraft systems if such laws or ordinances are not  
26 specifically related to the use of an unmanned aircraft system  
27 for those illegal acts.

28 (d) A person or governmental entity seeking to restrict or  
29 limit the operation of drones in close proximity to  
30 infrastructure or facilities that the person or governmental  
31 entity owns or operates must apply to the Federal Aviation  
32 Administration for such designation pursuant to section 2209 of  
33 the FAA Extension, Safety, and Security Act of 2016.

34 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

35 (a) A person may not knowingly or willfully:

- 36 1. Operate a drone over a critical infrastructure facility;  
37 2. Allow a drone to make contact with a critical  
38 infrastructure facility, including any person or object on the  
39 premises of or within the facility; or



40 3. Allow a drone to come within a distance of a critical  
41 infrastructure facility that is close enough to interfere with  
42 the operations of or cause a disturbance to the facility.

43 (b) A person who violates paragraph (a) commits a  
44 misdemeanor of the second degree, punishable as provided in s.  
45 775.082 or s. 775.083. A person who commits a second or  
46 subsequent violation commits a misdemeanor of the first degree,  
47 punishable as provided in s. 775.082 or s. 775.083.

48 (c) This subsection does not apply to actions identified in  
49 paragraph (a) which are committed by:

50 1. A federal, state, or other governmental entity, or a  
51 person under contract or otherwise acting under the direction of  
52 a federal, state, or other governmental entity.

53 2. A law enforcement agency that is in compliance with s.  
54 934.50, or a person under contract with or otherwise acting  
55 under the direction of such law enforcement agency.

56 3. An owner, operator, or occupant of the critical  
57 infrastructure facility, or a person who has prior written  
58 consent of such owner, operator, or occupant.

59 (d) Subparagraph (a)1. does not apply to a drone operating  
60 in transit for commercial purposes in compliance with Federal  
61 Aviation Administration regulations, authorizations, or  
62 exemptions.

63 (5) CONSTRUCTION.-This section shall be construed in  
64 accordance with standards imposed by federal statutes,  
65 regulations, and Federal Aviation Administration guidance on  
66 unmanned aircraft systems.

67  
68 ===== T I T L E A M E N D M E N T =====



937444

69 And the title is amended as follows:

70 Delete lines 4 - 25

71 and insert:

72 that, except as provided in federal regulations,  
73 authorizations, or exemptions, the authority to  
74 regulate the operation of unmanned aircraft systems is  
75 vested in the state; prohibiting a political  
76 subdivision from enacting or enforcing certain  
77 ordinances or resolutions relating to unmanned  
78 aircraft systems; providing that the authority of  
79 local government to enact or enforce local ordinances  
80 relating to nuisances, voyeurism, harassment, reckless  
81 endangerment, property damage, or other illegal acts  
82 arising from the use of unmanned aircraft systems is  
83 not limited, subject to certain requirements;  
84 requiring persons seeking to restrict or limit the  
85 operation of drones in close proximity to certain  
86 infrastructure or facilities to apply to the Federal  
87 Aviation Administration; prohibiting a person from  
88 knowingly and willfully operating a drone over or  
89 allowing a drone to make contact with or come within a  
90 certain distance of certain critical infrastructure  
91 facilities; providing that such a violation is a  
92 misdemeanor punishable under specified provisions of  
93 ch. 775; providing an exemption from specified  
94 prohibited acts; providing construction; amending s.