

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 659

By: Rosino and Bergstrom of the  
Senate

3

and

4

Hilbert of the House

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An Act relating to aircraft and airports; amending 3  
O.S. 2011, Section 82, which relates to definitions;  
8 adding definitions; creating the Unmanned Aircraft  
Systems Development Act of 2021; declaring intent of  
9 Act; establishing the Clearinghouse for Unmanned  
Aircraft Systems within the Oklahoma Aeronautics  
10 Commission; stating purpose of Clearinghouse;  
requiring use of best available practices; requiring  
11 maintaining of certain registries related to unmanned  
aircraft systems; providing for codification;  
12 providing for noncodification; and providing an  
effective date.

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15 AUTHOR: Add the following House Coauthor: Talley

16 AMENDMENT NO. 1. Delete the title, enacting clause and entire bill  
and replace with:

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"An Act relating to aircraft and airports; creating  
the Unmanned Aircraft Systems Development Act of  
19 2021; stating legislative intent; establishing the  
Oklahoma Aeronautics Commission as the clearinghouse  
20 for unmanned aircraft systems (UAS); designating the  
Commission as the agency to promote, enhance, develop  
21 and ensure safety of UAS; stating purpose of the  
clearinghouse; requiring the Commission cooperate  
22 with other entities for the development and  
acceptance of UAS; allowing the Commission to use  
23 established processes or use of contracting to  
achieve goals; stating primary goal of clearinghouse;  
24 stating duties of clearinghouse; amending 3 O.S.

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1           2011, Section 82, which relates to definitions;  
2           defining terms; providing for noncodification;  
3           providing for codification; and providing an  
4           effective date.

5 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

6           SECTION 1.           NEW LAW           A new section of law not to be  
7           codified in the Oklahoma Statutes reads as follows:

8           A. This act shall be known and may be cited as the "Unmanned  
9           Aircraft Systems Development Act of 2021".

10          B. It is the intent of the Oklahoma Legislature to bring  
11          awareness to the fact that unmanned aircraft systems (UAS) or drones  
12          offer extraordinary and vast potential for transforming the way we  
13          live and work. Fully realizing and implementing the benefits of UAS  
14          will require public acceptance and a comprehensive statewide  
15          strategy. This act intends to ensure that the state's UAS resources  
16          can be brought together to organize, collaborate and cooperate with  
17          each other for the purposes of ensuring the successful integration  
18          of UAS and to ensure that UAS are used in a safe, responsible and  
19          lawful manner, so that the public can, with confidence, embrace this  
20          new and incredible technology.

21          SECTION 2.           NEW LAW           A new section of law to be codified  
22          in the Oklahoma Statutes as Section 401 of Title 3, unless there is  
23          created a duplication in numbering, reads as follows:

1       A. The Oklahoma Aeronautics Commission is hereby established as  
2 the clearinghouse for unmanned aircraft systems (UAS) in the State  
3 of Oklahoma and shall be designated as the agency of this state for  
4 the promotion, enhancement and development of UAS and to ensure the  
5 safe integration and use of this new technology within the state.  
6 The purpose of this clearinghouse is to create a partnership between  
7 those entities that currently operate UAS, those that desire to use  
8 this technology in the future and other entities that can support  
9 the research and development of UAS to ensure that the State of  
10 Oklahoma can more effectively respond to the needs of this critical  
11 sector of the aviation and aerospace industry. In the operation of  
12 this clearinghouse, the Commission shall cooperate, assist and  
13 coordinate with the federal government, agencies of this state,  
14 tribal entities, municipalities and other persons in the development  
15 of unmanned aircraft systems throughout the state to ensure the  
16 acceptance of this technology and the successful integration of UAS  
17 into the National Airspace System. Contingent upon the availability  
18 of funds, the Oklahoma Aeronautics Commission may use established  
19 program processes or may contract with other qualified entities to  
20 carry out the duties and responsibilities of this act.

21       B. The primary goal of the UAS clearinghouse within the  
22 Commission is to establish a central point within state government  
23 to develop the strategy for how the State of Oklahoma can become a  
24 leader in the UAS industry. It will focus the collective resources,

1 knowledge, information and assets within state government to ensure  
2 coordinated efforts amongst all parties. The clearinghouse will:

3 1. Conduct research on what other states and localities are  
4 doing insofar as their UAS rules and regulations so that it can  
5 provide recommendations to ensure Oklahoma is in the best position  
6 within the industry;

7 2. Organize and coordinate the application for any UAS test  
8 site, integration opportunity, pilot program or grant funding on  
9 behalf of the State of Oklahoma;

10 3. Maintain a registry of UAS being operated by state agencies,  
11 except those UAS that are part of a university-affiliated research  
12 program; and

13 4. Maintain a registry of educational institutions that offer  
14 training programs for users of UAS.

15 SECTION 3. AMENDATORY 3 O.S. 2011, Section 82, is  
16 amended to read as follows:

17 Section 82. As used in the Oklahoma Aeronautics Commission Act,  
18 unless the context otherwise requires:

19 ~~(a)~~ 1. "Aeronautics" means the science, art, and practice of  
20 flight including, but not limited to, transportation by aircraft and  
21 matters relating to air commerce; the operation, construction,  
22 repair, or maintenance of aircraft, aircraft power plants and  
23 accessories, including the repair, packing, and maintenance of  
24 parachutes; the design, establishment, construction, extension,

1 operation, improvement, repair, or maintenance of airports,  
2 restricted landing areas, or other air navigation facilities; and  
3 instruction in flying or ground subjects pertaining thereto-

4 ~~(b) "Aircraft" means any contrivance now known, or hereafter  
5 invented, used, or designed for navigation of or flight in the air  
6 or airspace.~~

7 ~~(c) "Airport" means an area of land or water that is used, or  
8 intended to be used, for the landing and takeoff of aircraft, and  
9 buildings and facilities, if any.~~

10 ~~(d) "Airspace" means that portion of the atmosphere overlying a  
11 designated geographical area considered as subject to territorial  
12 jurisdiction or international law in respect to its use by aircraft,  
13 guided missiles, and rockets.~~

14 ~~(e) "Commission" means the Oklahoma Aeronautics Commission.~~

15 ~~(f) "Director" means the Director of Aeronautics of Oklahoma.~~

16 ~~(g) "State" or "this state" means the State of Oklahoma.~~

17 ~~(h) "Air navigation facility" means any facility used in,  
18 available for use in, or designed for use in, aid of air navigation,  
19 including landing areas, any structures, mechanisms, lights,  
20 beacons, markers, communicating systems, or other instrumentalities  
21 or devices used or useful as an aid, or constituting an advantage or  
22 convenience, to the safe taking off, navigation, and landing of  
23 aircraft, or the safe and efficient operation or maintenance of an  
24 airport, and any combination of any or all of such facilities.~~

1       ~~(i) "Operation of aircraft" or "operate aircraft" means the~~  
2 ~~use, navigation, or piloting of aircraft in the airspace over this~~  
3 ~~state or upon any airport within this state.~~

4       ~~(j) "Airman" means any individual who engages, as the person in~~  
5 ~~command, or as pilot, mechanic, or member of the crew, in the~~  
6 ~~navigation of aircraft while under way, and any individual who is~~  
7 ~~directly in charge of the inspection, maintenance, overhauling, or~~  
8 ~~repair of aircraft, aircraft engines, propellers, and appliances.~~

9       ~~(k) "Person" means any individual, firm, partnership,~~  
10 ~~corporation, company, association, joint stock association, or body~~  
11 ~~politic; and includes any trustee, receiver, assignee, or other~~  
12 ~~similar representative thereof.~~

13       ~~(l) "Municipality" means any incorporated city, village, or~~  
14 ~~town of this state and any county or political subdivision or~~  
15 ~~district in this state, or any public trust thereof, which is, or~~  
16 ~~may be, authorized by law to acquire, establish, construct,~~  
17 ~~maintain, improve, and operate airports, airstrips, and aeronautical~~  
18 ~~navigation facilities.~~

19       ~~(m) "Aeronautical hazard" means any structure, object of~~  
20 ~~natural growth, or use of land, which obstructs the airspace~~  
21 ~~required for the flight of aircraft in landing or taking off at an~~  
22 ~~airport that is otherwise hazardous to the operation and navigation~~  
23 ~~of aircraft.~~

1 ~~(n) "Resources" means services, facilities, funds, equipment,~~  
2 ~~property, personnel, and such other activities as are customarily~~  
3 ~~included within the term.~~

4 ~~(o) "Helipad" means a small, designated area, usually with a~~  
5 ~~prepared surface, on a heliport, airport, landing or takeoff area,~~  
6 ~~apron or ramp, or movement area used for takeoff, landing or parking~~  
7 ~~of helicopters.~~

8 ~~(p) "Heliport" means an area of land, water or structure used~~  
9 ~~or intended to be used for the landing and takeoff of helicopters~~  
10 ~~and includes its buildings and facilities, if any.~~

11 ~~(q) "Commercial service airport" means an airport meeting the~~  
12 ~~current Federal Aviation Administration definition for commercial~~  
13 ~~service airport.~~

14 ~~(r) "Primary commercial service airport" means an airport~~  
15 ~~meeting the current Federal Aviation Administration definition for~~  
16 ~~primary commercial service airport.~~

17 ~~(s) "Reliever airport" means an airport designated by the~~  
18 ~~Federal Aviation Administration as a reliever airport and which~~  
19 ~~provides substantial capacity or instrument training relief to a~~  
20 ~~primary commercial service airport.~~

21 ~~(t) "General aviation airport" means an airport not meeting the~~  
22 ~~criteria for definition as a commercial service or reliever airport;~~

23 2. "Aeronautical hazard" means any structure, object of natural  
24 growth, or use of land, which obstructs the airspace required for

1 the flight of aircraft in landing or taking off at an airport that  
2 is otherwise hazardous to the operation and navigation of aircraft;

3 3. "Air navigation facility" means any facility used in,  
4 available for use in, or designed for use in, aid of air navigation,  
5 including landing areas, any structures, mechanisms, lights,  
6 beacons, markers, communicating systems, or other instrumentalities  
7 or devices used or useful as an aid, or constituting an advantage or  
8 convenience, to the safe taking off, navigation, and landing of  
9 aircraft, or the safe and efficient operation or maintenance of an  
10 airport, and any combination of any or all of such facilities;

11 4. "Aircraft" means any contraption now known, or hereafter  
12 invented, used, or designed for navigation of or flight in the air  
13 or airspace;

14 5. "Airman" means any individual who engages, as the person in  
15 command, or as a pilot, mechanic, or member of the crew, in the  
16 navigation of aircraft while under way, and any individual who is  
17 directly in charge of the inspection, maintenance, overhauling, or  
18 repair of aircraft, aircraft engines, propellers, and appliances;

19 6. "Airport" means an area of land or water that is used, or  
20 intended to be used, for the landing and takeoff of aircraft, and  
21 buildings and facilities, if any;

22 7. "Airspace" means that portion of the atmosphere overlying a  
23 designated geographical area considered as subject to territorial  
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1 jurisdiction or international law in respect to its use by aircraft,  
2 guided missiles, and rockets;

3 8. "Commercial service airport" means an airport meeting the  
4 current Federal Aviation Administration definition for commercial  
5 service airport;

6 9. "Commission" means the Oklahoma Aeronautics Commission;

7 10. "Director" means the Director of Aeronautics of Oklahoma;

8 11. "General aviation airport" means an airport not meeting the  
9 criteria for definition as a commercial service or reliever airport;

10 12. "Helipad" means a small, designated area, usually with a  
11 prepared surface, on a heliport, airport, landing or takeoff area,  
12 apron or ramp, or movement area used for takeoff, landing or parking  
13 of helicopters;

14 13. "Heliport" means an area of land, water or structure used  
15 or intended to be used for the landing and takeoff of helicopters  
16 and includes its buildings and facilities, if any;

17 14. "Manned aircraft" means an aircraft, as defined in this  
18 section, that is operated with a person in or on the aircraft;

19 15. "Model aircraft" means an aircraft as defined in this  
20 section that is mechanically driven or launched into flight and that  
21 meets all of the following requirements:

22 a. is flown solely for hobby or recreational purposes,  
23 and

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1           b. is not used for payment, consideration, gratuity or  
2           benefit, directly or indirectly charged, demanded,  
3           received or collected by any person for the use of the  
4           aircraft or any photographic or video image produced  
5           by the aircraft;

6           16. "Municipality" means any incorporated city, village, or  
7           town of this state and any county or political subdivision or  
8           district in this state, or any public trust thereof, which is, or  
9           may be, authorized by law to acquire, establish, construct,  
10           maintain, improve, and operate airports, airstrips, and aeronautical  
11           navigation facilities;

12           17. "Operation of aircraft" or "operate aircraft" means the  
13           use, navigation, or piloting of aircraft in the airspace over this  
14           state or upon any airport within this state;

15           18. "Person" means any individual, firm, partnership,  
16           corporation, company, association, joint stock association, or body  
17           politic and includes any trustee, receiver, assignee, or other  
18           similar representative thereof;

19           19. "Primary commercial service airport" means an airport  
20           meeting the current Federal Aviation Administration definition for  
21           primary commercial service airport;

22           20. "Reliever airport" means an airport designated by the  
23           Federal Aviation Administration as a reliever airport and which  
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1 provides substantial capacity or instrument training relief to a  
2 primary commercial service airport;

3 21. "Resources" means services, facilities, funds, equipment,  
4 property, personnel, and such other activities as are customarily  
5 included within the term;

6 22. "State" or "this state" means the State of Oklahoma;

7 23. "Unmanned aircraft" means an aircraft, as defined in this  
8 section, that is operated without the possibility of human  
9 intervention from within or on the aircraft; and

10 24. "Unmanned aircraft system" means an unmanned aircraft and  
11 associated elements including communication links and components  
12 that control the unmanned aircraft that are required for the pilot  
13 in command to operate safely and efficiently in the National  
14 Airspace System.

15 SECTION 4. This act shall become effective November 1, 2021."

16 Passed the House of Representatives the 7th day of April, 2021.

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19 \_\_\_\_\_  
20 Presiding Officer of the House of  
Representatives

21 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2021.

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Presiding Officer of the Senate