

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

HOUSE BILL 3001

By: Moore

AS INTRODUCED

An Act relating to unmanned aerial vehicles; creating the Oklahoma Use of Unmanned Aerial Vehicles Act; defining terms; requiring Federal Aviation Administration certification for commercial unmanned aerial vehicle operators; mandating compliance with FAA rules; listing operating requirements for commercial unmanned aerial vehicles; authorizing state officials to contract with operators for agency needs; prohibiting use of unmanned aerial vehicle for surveillance; proscribing use of weaponized unmanned aerial vehicle; providing exception for military use; barring operation of unmanned aerial vehicle while under the influence; disallowing distribution of literature from unmanned aerial vehicle; directing commercial operators to carry liability insurance; providing exception; providing for limited liability of unmanned aerial vehicle manufacturer or seller; authorizing use of unmanned aerial vehicle by news media; allowing capture of images or data for specified purposes; requiring liability insurance in unmanned aerial vehicle training programs; permitting sale, lease or training of unmanned aerial vehicle systems; providing exception; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 400 of Title 3, unless there is created a duplication in numbering, reads as follows:

1 A. This act shall be known and may be cited as the "Oklahoma
2 Use of Unmanned Aerial Vehicles Act".

3 B. As used in the Oklahoma Use of Unmanned Aerial Vehicles Act:

4 1. "Unmanned aerial vehicle" means an aircraft that is operated
5 without the direct human intervention from within or on the
6 aircraft; and

7 2. "Commercial" means any nongovernmental person or entity
8 engaged in the operation of unmanned aerial vehicle system or
9 systems for compensation or hire as defined by the Federal Aviation
10 Regulations (FARs).

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

14 All commercial unmanned aerial vehicle operators shall acquire
15 and retain current Federal Aviation Administration certification and
16 requirements for commercial unmanned aerial vehicle operation.

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 402 of Title 3, unless there is
19 created a duplication in numbering, reads as follows:

20 All unmanned aerial vehicles shall comply with Federation
21 Aviation Administration rules.

22 SECTION 4. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 403 of Title 3, unless there is
24 created a duplication in numbering, reads as follows:

1 A. Commercial unmanned aerial vehicles shall meet or exceed
2 Federal Aviation Administration guidelines for mechanical redundancy
3 for public safety.

4 B. Commercial unmanned aerial vehicles shall maintain
5 operational standards of redundancy in motors, batteries and
6 electronic speed controllers.

7 SECTION 5. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 404 of Title 3, unless there is
9 created a duplication in numbering, reads as follows:

10 State government officials may award contracts to or retain the
11 services of commercial unmanned aerial vehicle operators for agency-
12 related needs, including but not limited to training.

13 SECTION 6. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 405 of Title 3, unless there is
15 created a duplication in numbering, reads as follows:

16 Operation of an unmanned aerial vehicle for surveillance is
17 prohibited.

18 SECTION 7. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 406 of Title 3, unless there is
20 created a duplication in numbering, reads as follows:

21 Operation of weaponized unmanned aerial vehicles is prohibited
22 except by manufacturers contracted with any branch of the United
23 States military.
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1 SECTION 8. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 407 of Title 3, unless there is
3 created a duplication in numbering, reads as follows:

4 Operation of an unmanned aerial vehicle while under the
5 influence of prescription drugs, alcohol or any illegal substance
6 that causes intoxication is prohibited.

7 SECTION 9. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 408 of Title 3, unless there is
9 created a duplication in numbering, reads as follows:

10 Distribution of literature from an unmanned aerial vehicle is
11 prohibited.

12 SECTION 10. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 409 of Title 3, unless there is
14 created a duplication in numbering, reads as follows:

15 Commercial unmanned aerial vehicle operators shall have
16 liability insurance.

17 1. Commercial unmanned aerial vehicle operators shall carry and
18 present proof of insurance to any law enforcement official; and

19 2. This insurance is not required on an Academy of Model
20 Aeronautics-approved flying field.

21 SECTION 11. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 410 of Title 3, unless there is
23 created a duplication in numbering, reads as follows:

1 An unmanned aerial vehicle manufacturer or seller shall not be
2 liable for damages in any civil suit or subject to criminal
3 prosecution for any injury or death resulting from operation of an
4 unmanned aerial vehicle unless the injury or death is a direct
5 result of the gross negligence, recklessness or intentional
6 misconduct of the unmanned aerial vehicle manufacturer or seller.

7 SECTION 12. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 411 of Title 3, unless there is
9 created a duplication in numbering, reads as follows:

10 Commercial unmanned aerial vehicles may be used by print,
11 electronic or television news media companies in order to provide
12 information that would be useful to the health, safety or welfare of
13 its readers or viewers.

14 SECTION 13. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 412 of Title 3, unless there is
16 created a duplication in numbering, reads as follows:

17 A. Capture of images or data with an unmanned aerial vehicle is
18 allowed for the purpose of training, research and development
19 through institutions of higher education or through commercial
20 unmanned aerial vehicle operators certified by the Federal Aviation
21 Administration (FAA).

22 B. Institutions of higher education or any FAA-certified
23 commercial unmanned aerial vehicle training facility shall carry
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1 liability insurance for unmanned aerial vehicles used in an unmanned
2 aerial vehicle training program.

3 SECTION 14. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 413 of Title 3, unless there is
5 created a duplication in numbering, reads as follows:

6 Commercial unmanned aerial vehicle operators may sell, lease or
7 provide training in the use of commercial unmanned aerial vehicle
8 systems. However, selling, leasing or providing training to
9 individuals or groups associated with terrorist activity as provided
10 by the United States Department of Homeland Security is prohibited.

11 SECTION 15. This act shall become effective November 1, 2016.

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