

HOUSE No. 3325

The Commonwealth of Massachusetts

PRESENTED BY:

Jessica Ann Giannino

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the safe operation of drones in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>1/20/2023</i>

HOUSE No. 3325

By Representative Giannino of Revere, a petition (accompanied by bill, House, No. 3325) of Jessica Ann Giannino relative to the safe operation of drones. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to the safe operation of drones in the Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 90 of the General Laws, as appearing in the 2016 official edition, is
2 hereby amended by adding the following section:-

3 “Section 63(a). As used in this section the following terms shall, unless the context
4 clearly requires otherwise, have the following meanings:-

5 “Operate”, to pilot, fly, control, direct, or program the flight of an unmanned aircraft
6 system.

7 “Recreational”, any drone, UAV or UAS that weighs more than 10 pounds.

8 “Unmanned Aircraft System” or “UAS”, an unmanned aerial vehicle and associated
9 elements and support equipment required for the safe and efficient operation of the UAV,
10 including but not limited to, communications links and components that control the UAV.

11 “Unmanned Aerial Vehicle”, “UAV”, or “drone”, a powered aerial vehicle that:

12 (a) Does not carry a human operator and is operated without the possibility of direct
13 human intervention from within or on the aircraft;

14 (b) Uses aerodynamic forces to provide vehicle lift;

15 (c) Can fly autonomously or be piloted remotely;

16 (d) Can be expendable or recoverable

17 (b) A person must be at least 16 years old to fly a recreational, commercial operation or
18 business use drone also known as an UAV or UAS.

19 (c) All recreational, commercial operation or business use drone, UAV or UAS must be
20 operated in a manner that does not pose a hazard to other aircraft, people, or property.

21 (d) All recreational, commercial operation or business use drone, UAV or UAS must be
22 registered with the FAA.

23 (e) All recreational, commercial operation or business use drone, UAV or UAS operators
24 must obtain a remote pilot's certificate.

25 (f) All recreational, commercial operation or business use drone, UAV or UAS must stay
26 within the visual line of sight of the operator at all times.

27 (g) All recreational, commercial operation or business use drone, UAV or UAS operators
28 are prohibited from flying a drone, UAV or UAS under the influence of drugs and alcohol.

29 (h) All recreational, commercial operation or business use drone, UAV or UAS operators
30 must comply with all applicable regulations of the Federal Aviation Administration (FAA)
31 including but not limited to Part 107 of the Federal Aviation Regulations (FARs).

32 (i) Commercial operation or business use drone, UAV or UAS are prohibited from flying
33 at night – unless they are delivering critical or emergency medical supplies to hospitals or
34 healthcare facilities.

35 (j) Commercial operation or business use drone, UAV or UAS are prohibited from take-
36 off or landing on municipal or state-owned property.

37 (k) Commercial operation or business use drone, UAV or UAS are prohibited from take-
38 off or landing within 150 feet of airports or helipads.

39 (l) Commercial operation or business use drone, UAV or UAS are prohibited from take-
40 off or landing within 100 feet of a pre-existing public or private school providing education in
41 kindergarten or any of grades 1 through 12.

42 (m) Commercial operation or business use drone, UAV or UAS are prohibited from take-
43 off or landing within 150 feet of aquifers.

44 (n) Drone, UAV or UAS s are not allowed to take off or land within 250 feet of areas of
45 critical environmental concern.

46 (o) Commercial operation or business use drone, UAV or UAS are prohibited from take-
47 off or landing within 100 feet of churches.

48 (p) Commercial operation or business use drone, UAV or UAS are prohibited from take-
49 off or landing within 100 feet of athletic events, concerts or other events where crowds gather.

50 (q) Commercial operation or business use drone, UAV or UAS are prohibited from take-
51 off or landing within 100 feet of playgrounds.

52 (r) Commercial operation or business use drone, UAV or UAS are prohibited from take-
53 off or landing within 100 feet of parks.

54 (s) Commercial operation or business use drone, UAV or UAS are prohibited from take-
55 off or landing within 150 feet of places where children congregate.

56 (t) Commercial operation or business use drone, UAV or UAS are prohibited from take-
57 off or landing within 150 feet of military bases.

58 (u) Commercial operation or business use drone, UAV or UAS are prohibited from take-
59 off or landing within 150 feet of critical infrastructures including but not limited to power plants,
60 gas utilities, solar fields, wind farms or water treatment facilities.

61 (v) Commercial operation or business use drone, UAV or UAS are prohibited from take-
62 off or landing within 150 feet of emergency and law enforcement facilities.

63 (w) Commercial operation or business use drone, UAV or UAS are prohibited from take-
64 off or landing within 150 feet of daycare facilities.

65 (x) Commercial operation or business use drone, UAV or UAS are prohibited from take-
66 off or landing within 150 feet of correction and prison facilities.

67 (y) Commercial operation or business use drone, UAV or UAS are prohibited from take-
68 off or landing within 150 feet of government and federal offices or buildings.

69 (z) Commercial operation or business use drone, UAV or UAS are prohibited from take-
70 off or landing within 150 feet of zoos, livestock farms or wildlife preserves.