

RAILROAD DRONE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor: _____

LONG TITLE

General Description:

This bill allows a large public transit district to use an unmanned aircraft to examine public transit facilities for safety purposes.

Highlighted Provisions:

This bill:

- ▶ allows an individual employed or contracted by a large public transit district to use an unmanned aircraft to examine public transit facilities for safety purposes; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

72-10-1002, as renumbered and amended by Laws of Utah 2023, Chapter 216

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **72-10-1002** is amended to read:

72-10-1002. Safe operation of unmanned aircraft.

(1) An individual who operates an unmanned aircraft system to fly an unmanned



28 aircraft for recreational purposes shall comply with this section or 14 C.F.R. Sec. 101, Subpart
29 E.

30 (2) An individual operating an unmanned aircraft shall:

31 (a) maintain visual line of sight of the unmanned aircraft in order to:

32 (i) know the location of the unmanned aircraft;

33 (ii) determine the attitude, altitude, and direction of flight;

34 (iii) observe the airspace for other air traffic or hazards; and

35 (iv) determine that the unmanned aircraft does not endanger the life or property of
36 another person; and

37 (b) ensure that the ability described in Subsection (2)(a)(i) is exercised by either:

38 (i) the operator of the unmanned aircraft; or

39 (ii) a visual observer.

40 (3) An individual may not operate an unmanned aircraft in Class B, Class C, or Class
41 D airspace or within the lateral boundaries of the surface area of Class E airspace designated
42 for an airport unless the operator of the unmanned aircraft has prior authorization from air
43 traffic control.

44 (4) An individual may not operate an unmanned aircraft in a manner that interferes
45 with operations and traffic patterns at any airport, heliport, or seaplane base.

46 (5) (a) ~~[Am]~~ Except as provided in Subsection (5)(b), an individual may not operate an
47 unmanned aircraft system:

48 ~~[(a)]~~ (i) from a public transit rail platform or station; or

49 ~~[(b)]~~ (ii) [(†)] (A) under a height of 50 feet within a public transit fixed guideway
50 right-of-way; and

51 ~~[(†)]~~ (B) directly above any overhead electric lines used to power a public transit rail
52 vehicle.

53 (b) An individual employed or contracted by a large public transit district may operate
54 an unmanned aircraft from a public transit rail platform or station or near a public transit
55 facility:

56 (i) to examine the public transit right-of-way for impediments or obstructions;

57 (ii) to examine a public transit facility for safety concerns; or

58 (iii) for any other safety-related purpose related to the operations of a large public

59 transit district.

60 (6) An individual may not operate an unmanned aircraft in violation of a notice to
61 airmen described in 14 C.F.R. Sec. 107.47.

62 (7) An individual may not operate an unmanned aircraft at an altitude that is higher
63 than 400 feet above ground level unless the unmanned aircraft:

64 (a) is flown within a 400-foot radius of a structure; and

65 (b) does not fly higher than 400 feet above the structure's immediate uppermost limit.

66 (8) (a) An individual who violates this section is liable for any damages that may result
67 from the violation.

68 (b) A law enforcement officer shall issue a written warning to an individual who
69 violates this section who has not previously received a written warning for a violation of this
70 section.

71 (c) Except as provided in Subsection (8)(d), an individual who violates this section
72 after receiving a written warning for a previous violation of this section is guilty of an
73 infraction.

74 (d) An individual who violates this section is guilty of a class B misdemeanor for each
75 conviction of a violation of this section after the individual is convicted of an infraction or a
76 misdemeanor for a previous violation of this section.

77 **Section 2. Effective date.**

78 This bill takes effect on May 1, 2024.