

AMENDED IN SENATE AUGUST 2, 2016

AMENDED IN ASSEMBLY JUNE 1, 2016

AMENDED IN ASSEMBLY MAY 5, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2724

Introduced by Assembly Member Gatto

February 19, 2016

An act to add Part 7 (commencing with Section 9570) to Division 4 of the Civil Code, relating to unmanned aircraft.

LEGISLATIVE COUNSEL'S DIGEST

AB 2724, as amended, Gatto. Unmanned aircraft.

Existing federal law, the ~~Federal Aviation Administration~~ *FAA* Modernization and Reform Act of 2012 (FMRA 2012), provides for the integration of civil and public unmanned aircraft systems, commonly known as drones, into the national airspace system. Existing federal law imposes various operational safety requirements and aircraft certification requirements on aircraft, including unmanned aircraft. Existing federal law also generally requires an aircraft to be registered with the Federal Aviation Administration (FAA), and except as provided, prohibits a person from operating a United States registered aircraft unless that aircraft displays specified nationality and registration marks or from placing on any aircraft a design, mark, or symbol that modifies or confuses those nationality and registration marks. Existing federal law establishes an online and paper-based registration process for specified types of unmanned aircraft systems.

This bill would require a person who manufactures an unmanned aircraft for sale in this state to include with the unmanned aircraft a copy of FAA safety regulations applicable to unmanned aircraft and, if the unmanned aircraft is required to be registered with the FAA, a notification of that requirement. The bill would require an unmanned aircraft equipped with global positioning satellite mapping capabilities to also be equipped with geofencing technological capabilities that prohibit the unmanned aircraft from flying within ~~5 miles of an airport~~ *any area prohibited by local, state, or federal law*. The bill would require the owner of an unmanned aircraft to procure adequate protection against liability imposed by law on owners of unmanned aircraft, including the payment of damages for personal bodily injuries and death, and for property damage, resulting from the operation of the unmanned aircraft. *The bill would require the Department of Transportation to set the amount of liability protection that is adequate. The bill would make the provision requiring adequate protection against liability operative on January 1, 2020.* The bill would exempt from its provisions an unmanned aircraft operated pursuant to a current commercial operator exemption issued pursuant to FMRA 2012 or other commercial operator authorization granted by the FAA. The bill would provide that if any provision or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application. ~~The bill would provide that its provisions would become operative on January 1, 2020.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Part 7 (commencing with Section 9570) is added
2 to Division 4 of the Civil Code, to read:

3

4 PART 7. UNMANNED AIRCRAFT

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6 9570. This part shall be known and may be cited as the Drone
7 Registration Omnibus Negligence Prevention Enactment (DRONE)
8 Act.

9 9575. As used in this part, “unmanned aircraft” means an
10 aircraft that is operated without the possibility of direct human
11 intervention from within or on the aircraft.

1 9580. (a) A person who manufactures an unmanned aircraft
2 for sale in this state shall include with the unmanned aircraft both
3 of the following:

4 (1) A copy of Federal Aviation Administration safety regulations
5 applicable to unmanned aircraft.

6 (2) If the unmanned aircraft is required to be registered with the
7 Federal Aviation Administration, a notification of that requirement.

8 (b) An unmanned aircraft equipped with global positioning
9 satellite mapping capabilities shall also be equipped with
10 geofencing technological capabilities that prohibit the unmanned
11 aircraft from flying ~~within five miles of an airport.~~ *any area*
12 *prohibited by local, state, or federal law.*

13 9585. (a) The owner of an unmanned aircraft shall procure
14 adequate protection against liability imposed by law on owners of
15 unmanned aircraft, including the payment of damages for personal
16 bodily injuries and death, and for property damage, resulting from
17 the operation of the unmanned aircraft.

18 (b) *The Department of Transportation shall set the amount of*
19 *liability protection that is adequate.*

20 (c) *This section shall become operative on January 1, 2020.*

21 9590. This part does not apply to an unmanned aircraft operated
22 pursuant to a current commercial operator exemption issued
23 pursuant to Section 333 of the ~~Federal Aviation~~ FAA Modernization
24 and Reform Act of 2012 (Public Law 112-95 (Feb. 12, 2014) 126
25 Stat. 11, 75-76) or other commercial operator authorization granted
26 by the Federal Aviation Administration.

27 9595. The provisions of this part are severable. If any provision
28 of this part or its application is held invalid, that invalidity shall
29 not affect other provisions or applications that can be given effect
30 without the invalid provision or application.

31 ~~9600. This part shall become operative on January 1, 2020.~~