LEGISLATIVE GENERAL COUNSEL
₵ Approved for Filing: R. Frost ₵
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H.C.R. 3

CONCURRENT RESOLUTION ON UNMANNED AIRCRAFT SYSTEMS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

Senate Sponsor: Jerry W. Stevenson

LONG TITLE

General Description:

This concurrent resolution of the Legislature and the Governor expresses support for the development of Unmanned Aircraft Systems, technologies, and businesses in the state of Utah.

Highlighted Provisions:

This resolution:

▸ expresses support for the development of Unmanned Aircraft Systems, technologies, and businesses in the state; Ĥ→ **~~[and]~~** **▸ urges the Governor's Office of Economic Development to evaluate the feasibility of assisting in the creation of an Unmanned Aircraft System test site to increase economic opportunities, further solidify Utah's role in the aerospace and defense ecosystem, and serve as a stimulus to create additional economic opportunities for the state of Utah;**

▸ urges that, if it identifies a feasible solution for securing an Unmanned Aircraft System test site, the Governor's Office of Economic Development exercise all options at its disposal to facilitate the creation of a test site; ←Ĥ

▸ recognizes the significant economic benefits that Unmanned Aircraft Systems and their technological development can bring to the state. Ĥ→ **and**

▸recognizes the importance of protecting Utahns' rights to privacy, as guaranteed in the Fourth Amendment to the Constitution of the United States, as Unmanned Aircraft Systems and technologies develop in the state. ←Ĥ

Special Clauses:

None

H.C.R. 3

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, the state of Utah has excellent resources that can be used to further advance the research, development, and use of technology to benefit and support Utahns and Americans with the safe use of Unmanned Aircraft Systems (UAS);

WHEREAS, UAS can be designed for gathering information necessary to protect human life in search and rescue operations; aiding in the management of resources, including

marine mammal and fisheries research; providing humanitarian assistance; providing a platform for scientific research; and other private and public sector activities;

WHEREAS, for example, the Alaska Center for Unmanned Aircraft Systems Integration used a UAS to assist the United States Coast Guard Cutter Healy and the Russian tanker Renda in delivering fuel to Nome, Alaska, in 2012;

WHEREAS, since the 1990s, the list of potential uses for UAS has expanded exponentially;

WHEREAS, approximately 90% of the known commercial uses of UAS are for agriculture and public safety;

WHEREAS, some of the uses of UAS will be disaster response, critical infrastructure, law enforcement, and natural resource monitoring;

WHEREAS, the Federal Aviation Administration (FAA) restricts the use of UAS by public agencies to conduct routine flights over urban or populated areas, heavily trafficked roads, or open-air assemblies of people, as well as the discharge or dropping of objects while in flight, and the operation of UAS without the capability of pilot intervention;

WHEREAS, the FAA has set up a roadmap for integration of UAS into the National Airspace System (NAS);

WHEREAS, in order to integrate UAS safety into the NAS, four main components of UAS operation will need to be researched: pilot and crew requirements; control station functionality and certification; data link certification requirements and operability; and unmanned aircraft certification requirements, airworthiness standards, measures of performance, and continued airworthiness standards;

WHEREAS, Utah, with the various academic levels of expertise in the these areas, is well positioned to help the FAA develop these standards;

WHEREAS, the state of Utah is prepared to work with the FAA to promote the establishment of safe UAS ranges in Utah;

WHEREAS, these efforts will help develop procedures for the safe operation of UAS in the NAS;

WHEREAS, it is estimated that integration of UAS into NAS will have a significant positive impact on the national economy, including the creation of more than 34,000 manufacturing jobs and more than 70,000 new jobs in the first three years;

WHEREAS, by 2025, total job creation is estimated at 103,776;

WHEREAS, the manufacturing jobs created will be high paying and require technical baccalaureate degrees;

WHEREAS, in addition to direct jobs created by the manufacturing process, income generated through newly created jobs will be spread to local communities;

WHEREAS, as new jobs are created, additional money is spent at the local level, creating additional demand for local services and creating more jobs;

WHEREAS, tax revenue to the states from 2015-2025, the first 11 years following integration, are estimated at $635 billion;

WHEREAS, Utah has a very strong relationship with the national UAS industry players already working within the state;

WHEREAS, Utah has a strong and established history with defense integration initiatives;

WHEREAS, the United States Army has located its UAS technology center at Utah's Dugway Proving Ground;

WHEREAS, the United States Air Force has chosen Hill Air Force Base's Ogden Air Logistics Center as its Maintenance, Repair, and Overhaul (MRO) center for the Air Force's Predator UAS;

WHEREAS, Utah has a substantial academic UAS body of expertise among its five universities that partnered together for the FAA's UAS Site Award bid;

WHEREAS, this academic partnership, with its diverse levels and types of expertise, is unparalleled by another state;

WHEREAS, Utah State University's Space Dynamic Lab has a 50-year history of developing satellite imaging and mapping technologies that can serve UAS civil and commercial applications;

WHEREAS, Utah Valley University (UVU) brings expertise in aviation science and has one of the largest aviation programs in the United States;

WHEREAS, UVU's College of Aviation and Public Services is located at the Provo Airport and is a natural place to start the development and evaluation of the civil applications of UAS;

WHEREAS, the University of Utah brings expertise in computer and visualization

technology and is a leading research and development institution supporting data collection, management, and presentation technologies;

WHEREAS, Utah State University brings expertise in imaging and mapping capabilities and spaceflight technologies through its Space Dynamics Lab and research;

WHEREAS, Weber State University brings expertise in aerospace industries applied sciences through its Utah Center for Aeronautical Innovation and Design;

WHEREAS, Brigham Young University brings expertise in UAS guidance and control technologies;

WHEREAS, at the forefront of such research are two academic spin-out companies, Lockheed Martin Procerus Technologies and SAR, which provide auto pilots and miniature Synthetic Aperture Radars for UAS;

WHEREAS, the FAA has yet to determine and set its certification requirements for civil and commercial UAS operators;

WHEREAS, working in collaboration with the Utah academic partners, and with its expertise in aviation and public services curriculum and training, UVU can assist the FAA in establishing its UAS operator certification requirements and program;

WHEREAS, Utah's university partners could collaboratively establish a certification and training center to help the FAA determine a suitable commercial application of UAS into the NAS;

WHEREAS, Utah is uniquely positioned to help the FAA meet some of its initiatives and challenges, including data collection and management;

WHEREAS, the FAA needs comprehensive data on safe integration of UAS into the NAS in a variety of environments;

WHEREAS, Utah, with its diverse topography, geography, climates, and infrastructure of proven research and development is optimally positioned to provide the FAA the rich, meaningful, and diverse data it seeks to successfully integrate UAS into NAS;

WHEREAS, Utah provides operational conditions in congested airspace, in various climate conditions, at various altitudes, all in a diversity of geographical terrain;

Ĥ→ WHEREAS, the Governor's Office of Economic Development should evaluate the feasibility of assisting in the creation of a UAS test site to increase economic opportunities, further solidify Utah's role in the aerospace and defense ecosystem, and serve as a stimulus to create additional economic opportunities for the state of Utah;

WHEREAS, if the Governor's Office of Economic Development identifies a feasible solution for securing a UAS test site, it should exercise all options at its disposal to facilitate

Ĥ→ **the creation of a test site;**

[~~WHEREAS, UAS may present a substantial risk to privacy, but neither the FAA nor any other state or federal agency currently has specific statutory authority to regulate privacy matters relating to unmanned aircraft systems;~~]

WHEREAS, to address privacy concerns, Utah will extend principles contained in the Fourth Amendment to the Constitution of the United States to the application of UAS to protect its citizens' privacy rights from unlawful intrusion; ←Ĥ

WHEREAS, in any criminal prosecution or proceeding within the state of Utah, information from UAS is not admissible as evidence unless the information was obtained pursuant to the authority of a search warrant or in accordance with a judicially recognized exception to the warrant requirement;

WHEREAS, any test site developed and approved in the state of Utah will be required to report use data including frequency of use, equipment, organizations or agencies applying to use the site, and any other information requested by the Governor's UAS Board;

WHEREAS, use data will be regularly reported to the Governor's UAS Board;

WHEREAS, a representative from the Governor's UAS Board will report this same information to the Transportation Interim Committee on an annual basis; ←Ĥ

WHEREAS, the UAS Advisory Board, appointed by the Governor, is addressing issues and concerns of responsible management and privacy;

WHEREAS, Utah's legislative and executive branches are supportive of UAS initiatives and their application among other industries and government agencies;

WHEREAS, with an already established UAS infrastructure and a complex of potential launch and recovery areas that could match the complexity and maturity of the intended UAS applications, Utah has the ability to expand and respond quickly to FAA needs now and in the future; and

WHEREAS, it is expected that Utah will provide a national model for other states to follow:

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the Governor concurring therein, expresses support for the development of Unmanned Aircraft Systems, technologies, and businesses in the state.

BE IT FURTHER RESOLVED that the Legislature and the Governor recognize the significant economic benefits that Unmanned Aircraft Systems and their technological development can bring to the state.

Ĥ→ **BE IT FURTHER RESOLVED that the Legislature and the Governor urge the Governor's Office of Economic Development to evaluate the feasibility of assisting in the creation of an Unmanned Aircraft System test site to increase economic opportunities, further solidify Utah's role in the aerospace and defense ecosystem, and serve as a stimulus to create additional economic opportunities for the state of Utah.**

BE IT FURTHER RESOLVED that the Legislature and the Governor urge that, if it identifies a feasible solution for securing an Unmanned Aircraft System test site, the Governor's Office of Economic Development exercise all options at its disposal to facilitate the creation of a test site.

BE IT FURTHER RESOLVED that the Legislature and the Governor recognize the importance of protecting Utahns' rights to privacy, as guaranteed in the Fourth Amendment to the Constitution of the United States, as Unmanned Aircraft Systems and technologies develop in the state of Utah. ←Ĥ

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Federal Aviation Administration and the members of Utah's congressional delegation.

Legislative Review Note
as of 1-27-14 10:14 AM

Office of Legislative Research and General Counsel