

Effective 5/3/2023

Part 9

Unlawful Use of Unmanned Aircraft

72-10-901 Definitions.

As used in this part, "weapon" means:

- (1) a firearm as that term is defined in Section 76-11-101; or
- (2) an object that in the manner of the object's use or intended use is capable of causing death, bodily injury, or damage to property, as determined according to the following factors:
 - (a) the location and circumstances in which the object is used or possessed;
 - (b) the primary purpose for which the object is made;
 - (c) the character of the damage, if any, the object is likely to cause;
 - (d) the manner in which the object is used;
 - (e) whether the manner in which the object is used or possessed constitutes a potential imminent threat to public safety; and
 - (f) the lawful purposes for which the object may be used.

Amended by Chapter 173, 2025 General Session

Amended by Chapter 208, 2025 General Session

72-10-902 Weapon attached to unmanned aircraft -- Penalties.

- (1)
 - (a) Except as provided in Subsection (2), a person may not fly an unmanned aircraft that carries a weapon or to which a weapon is attached.
 - (b) A person that violates Subsection (1)(a) is guilty of a class B misdemeanor.
- (2) A person may fly an unmanned aircraft that carries a weapon or to which a weapon is attached if the person:
 - (a)
 - (i) obtains a certificate of authorization, or other written approval, from the Federal Aviation Administration authorizing the person to fly the unmanned aircraft that carries the weapon or to which the weapon is attached; and
 - (ii) operates the unmanned aircraft in accordance with the certificate of authorization or other written approval;
 - (b)
 - (i) obtains a contract with the state or the federal government permitting the person to fly the unmanned aircraft that carries the weapon or to which the weapon is attached; and
 - (ii) operates the unmanned aircraft in accordance with the contract; or
 - (c) operates the unmanned aircraft that carries the weapon or to which the weapon is attached in airspace controlled by the United States Department of Defense, with the permission of the United States Department of Defense.

Renumbered and Amended by Chapter 216, 2023 General Session

72-10-903 Unlawful operation of unmanned aircraft near prison facilities -- Penalties.

- (1) An individual may not operate an unmanned aircraft system:
 - (a) to carry or drop any item to or inside the property of a correctional facility; or
 - (b) in a manner that interferes with the operations or security of a correctional facility.

- (2)
 - (a) A violation of Subsection (1)(a) is a third degree felony.
 - (b) A violation of Subsection (1)(b) is a class B misdemeanor.
- (3) An operator of an unmanned aircraft system does not violate Subsection (1) if the operator is:
 - (a) an employee or contractor working on behalf of a mosquito abatement district created pursuant to Title 17B, Limited Purpose Local Government Entities - Special Districts, or Title 17D, Limited Purpose Local Government Entities - Other Entities; and
 - (b) acting in the course and scope of the operator's employment.

Amended by Chapter 16, 2023 General Session

Renumbered and Amended by Chapter 216, 2023 General Session