

**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; ~~H→~~ **[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; ~~←H~~

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

**Special Clauses:**

None



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

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

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

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

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

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

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

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

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

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

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

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

117a **H→ WHEREAS, the Governor's Office of Economic Development should evaluate the**  
117b **feasibility of assisting in the creation of a UAS test site to increase economic opportunities,**  
117c **further solidify Utah's role in the aerospace and defense ecosystem, and serve as a stimulus to**  
117d **create additional economic opportunities for the state of Utah;**

117e **WHEREAS, if the Governor's Office of Economic Development identifies a feasible**  
117f **solution for securing a UAS test site, it should exercise all options at its disposal to facilitate**

117g ~~H~~→ the creation of a test site;

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

120a           WHEREAS, to address privacy concerns, Utah will extend principles contained in the  
120b Fourth Amendment to the Constitution of the United States to the application of UAS to  
120c protect its citizens' privacy rights from unlawful intrusion;     ←~~H~~

120d WHEREAS, in any criminal prosecution or proceeding within the state of Utah,  
120e information from UAS is not admissible as evidence unless the information was obtained  
120f pursuant to the authority of a search warrant or in accordance with a judicially recognized  
120g exception to the warrant requirement;

120h WHEREAS, any test site developed and approved in the state of Utah will be required  
120i to report use data including frequency of use, equipment, organizations or agencies applying to  
120j use the site, and any other information requested by the Governor's UAS Board;

120k WHEREAS, use data will be regularly reported to the Governor's UAS Board;

120l WHEREAS, a representative from the Governor's UAS Board will report this same  
120m information to the Transportation Interim Committee on an annual basis; ←H

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

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

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

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

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

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

136a1 **H→ BE IT FURTHER RESOLVED that the Legislature and the Governor urge the**  
136b1 **Governor's Office of Economic Development to evaluate the feasibility of assisting in the**  
136c1 **creation of an Unmanned Aircraft System test site to increase economic opportunities, further**  
136d1 **solidify Utah's role in the aerospace and defense ecosystem, and serve as a stimulus to create**  
136e **additional economic opportunities for the state of Utah.**

136f **BE IT FURTHER RESOLVED that the Legislature and the Governor urge that, if it**  
136g **identifies a feasible solution for securing an Unmanned Aircraft System test site, the**  
136h **Governor's Office of Economic Development exercise all options at its disposal to facilitate the**  
136i **creation of a test site.**

136a **BE IT FURTHER RESOLVED that the Legislature and the Governor recognize**  
136b **the importance of protecting Utahns' rights to privacy, as guaranteed in the Fourth**  
136c **Amendment to the Constitution of the United States, as Unmanned Aircraft Systems and**  
136d **technologies develop in the state of Utah. ←H**

137 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Federal  
138 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