restrictions established by the incident commander.

(3) A person, other than a government official or a government employee acting within the person's capacity as a government official or government employee, that recklessly violates subsection (2) is guilty of:

(a) except as provided in subsection (3)(b), (c), or (d), a class B misdemeanor; if the person violates subsection (2) recklessly;

(b) except as provided in subsection (3)(c) or (d), a class A misdemeanor, if the operation of the unmanned aircraft system causes an aircraft being used to contain or control a wildland fire to:

(i) drop a payload of water or fire retardant in a location other than the location originally designated for the aircraft to drop the payload; or

(ii) land without dropping a payload of water or fire retardant in the location originally designated for the aircraft to drop the payload;

(c) except as provided in subsection (3)(d), a third degree felony, if the operation of the unmanned aircraft system causes the unmanned aircraft to come into direct physical contact with a manned aircraft; or

(d) a second degree felony if the operation of the unmanned aircraft is the proximate cause of a manned aircraft colliding with the ground, a structure, or another manned aircraft.

(4) The incident commander of a wildland fire shall grant reasonable access to the area of, and within three miles of, the wildland fire to a sanctioned entity if:

(a) the access is for a purpose related to the responsibilities or business of the sanctioned entity; and

(b) the access can be granted, with reasonable restrictions, without imposing a safety risk or impairing efforts to control the wildland fire.