

## SB0122S01 compared with SB0122

~~{deleted text}~~ shows text that was in SB0122 but was deleted in SB0122S01.

inserted text shows text that was not in SB0122 but was inserted into SB0122S01.

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Senator Michael S. Kennedy proposes the following substitute bill:

### UNMANNED AIRCRAFT AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael S. Kennedy**

House Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill concerns use and study of an unmanned aircraft system.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ ~~{creates the Utah Advanced Air Mobility Task Force}~~ provides that the Department of Transportation may convene a working group to study advanced air mobility;
- ▶ provides when an actor may be found guilty of a criminal offense that is committed with the aid of an unmanned aircraft system; and
- ▶ makes technical and conforming changes.

##### Money Appropriated in this Bill:

None

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### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

~~{63I-2-236}~~72-1-216.1, as ~~{last amended}~~enacted by Laws of Utah 2021, ~~{Second Special Session, }~~Chapter ~~{8}~~358

ENACTS:

~~{~~ ~~36-29-109~~, Utah Code Annotated 1953

~~}~~ ~~76-2-106~~, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section ~~{36-29-109 is enacted to read:~~

~~36-29-109. Utah Advanced Air Mobility Task Force.~~

~~(1) There is created the Utah Advanced Air Mobility Task Force consisting of the following 14 members:~~

~~(a) the following five voting members:~~

~~(i) two members of the Senate, appointed by the president of the Senate; and~~

~~(ii) three members of the House of Representatives, appointed by the speaker of the House of Representatives; and~~

~~(b) the following nine non-voting members:~~

~~(i) a representative of the advanced air mobility industry, appointed by the president of the Senate;~~

~~(ii) a representative of the advanced air mobility industry, appointed by the speaker of the House of Representatives;~~

~~(iii) the executive director of the department or the executive director's designee;~~

~~(iv) the commissioner of the Department of Public Safety or the commissioner's designee;~~

~~(v) a representative of the Utah League of Cities and Towns, appointed by the governor;~~

~~(vi) a representative of the Utah Association of Counties, appointed by the governor;~~

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~~—— (vii) two representatives of the business community, appointed by the governor; and~~

~~—— (viii) a representative of a state institution of higher education, appointed by the governor.~~

~~—— (2) The task force shall study current laws in the state and identify potential changes to state law necessary to facilitate the development of advanced air mobility operations in the state.~~

~~—— (3) The task force may select from the voting task force members appointed under Subsection (1) the chair of the task force.~~

~~—— (4) (a) If a vacancy occurs in the membership of the task force appointed under Subsection (1), the member shall be replaced in the same manner in which the original appointment was made.~~

~~—— (b) A member appointed under Subsection (1) serves until the member's successor is appointed.~~

~~—— (5) (a) A majority of the voting members of the task force constitutes a quorum.~~

~~—— (b) The action of a majority of a quorum constitutes an action of the task force.~~

~~—— (6) (a) The salary and expenses of a task force member who is a legislator shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.~~

~~—— (b) A task force member who is not a legislator may not receive compensation or benefits for the member's service on the task force, but may receive per diem and reimbursement for travel expenses incurred as a task force member at the rates established by the Division of Finance under:~~

~~—— (i) Sections 63A-3-106 and 63A-3-107; and~~

~~—— (ii) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.~~

~~—— (7) The Office of Legislative Research and General Counsel shall provide staff support to the task force.~~

~~—— (8) On or before September 30, 2022, the task force shall report the task force's findings and recommendations to the Transportation Interim Committee.~~

~~—— (9) On or before December 1, 2022, the Transportation Interim Committee shall:~~

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- ~~— (a) study;~~
- ~~— (i) the findings and recommendations of the task force; and~~
- ~~— (ii) the findings of the department for development and implementation of advanced air mobility in the state as required under Subsection 72-1-216.1(1)(b); and~~
- ~~— (b) prepare any legislation based on the findings and recommendations described in Subsection (9)(a) for consideration by the Legislature in the next general session.~~
- ~~— Section 2. Section 63I-2-236 is amended to read:~~
- ~~— 63I-2-236. Repeal dates -- Title 36.~~
- ~~— (1) Section 36-29-107.5 is repealed on November 30, 2023.~~
- ~~— (2) Section 36-29-109 is repealed on January 1, 2023.~~
- ~~— [(2)] (3) The following sections regarding the State Flag Task Force are repealed on January 1, 2024:~~
- ~~— (a) Section 36-29-201;~~
- ~~— (b) Section 36-29-202; and~~
- ~~— (c) Section 36-29-203.~~

72-1-216.1 is amended to read:

### **72-1-216.1. State plane operations and advanced air mobility study.**

- (1) The department shall study:
  - (a) options to improve the operations of the state airplane fleet, including addressing how to make the state airplane fleet operations more self-reliant through:
    - (i) funding the state's plane operations through plane user fees; and
    - (ii) fleet replacement options; and
  - (b) the development and implementation of advanced air mobility in the state, including:
    - (i) identifying current state assets and assets in development that support advanced air mobility;
    - (ii) identifying assets required for full implementation of advanced air mobility;
    - (iii) identifying potential benefits and limitations of implementing advanced air mobility;
    - (iv) the feasibility of options to progress toward implementing a statewide advanced air mobility system, including phasing critical elements; and

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(v) reviewing infrastructure funding mechanisms employed or under consideration by other states.

~~{(2)}~~ (2) (a) The department may convene a working group to study current laws in the state and identify potential changes to state law necessary to facilitate the development of advanced air mobility operations in the state.

(b) A working group under Subsection (2)(a) may include:

(i) one or more interested members of the Legislature;

(ii) one or more representatives of the advanced air mobility industry;

(iii) the executive director of the department or the executive director's designee;

(iv) the commissioner of the Department of Public Safety or the commissioner's designee;

(v) a representative of the Utah League of Cities and Towns;

(vi) a representative of the Utah Association of Counties;

(vii) a representative of the business community; and

(viii) a representative of a state institution of higher education.

~~[(2)]~~ (3) (a) The department shall provide a report of the department's findings from the study described in Subsection (1) before September 30, 2022, to the Transportation Interim Committee.

(b) If the department convenes the working group described in Subsection (2), the department shall provide a report of the working group's findings before September 30, 2022, to the Transportation Interim Committee.

Section ~~{3}~~2. Section **76-2-106** is enacted to read:

**76-2-106. Commission of offense with aid of unmanned aircraft system.**

(1) As used in this section:

(a) "Unmanned aircraft" means the same as that term is defined in Section 72-14-102.

(b) "Unmanned aircraft system" means the same as that term is defined in Section 72-14-102.

(2) An actor may be found guilty of an offense if:

(a) the actor commits the offense with the aid of an unmanned aircraft; and

(b) the unmanned aircraft system for the unmanned aircraft is under the actor's control at the time of the offense.

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