

**RAILROAD DRONE AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ryan D. Wilcox**

Senate Sponsor: Wayne A. Harper

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**LONG TITLE**

**General Description:**

This bill allows a large public transit district to use an unmanned aircraft to examine public transit facilities for safety purposes.

**Highlighted Provisions:**

This bill:

- ▶ allows an individual employed or contracted by a large public transit district to use an unmanned aircraft to examine public transit facilities for safety purposes; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**72-14-403**, as enacted by Laws of Utah 2017, Chapter 364

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

Section 1. Section **72-14-403** is amended to read:

**72-14-403. Safe operation of unmanned aircraft.**

(1) An individual who operates an unmanned aircraft system to fly an unmanned



28 aircraft for recreational purposes shall comply with this section or 14 C.F.R. Sec. 101, Subpart  
29 E.

30 (2) An individual operating an unmanned aircraft shall:

31 (a) maintain visual line of sight of the unmanned aircraft in order to:

32 (i) know the location of the unmanned aircraft;

33 (ii) determine the attitude, altitude, and direction of flight;

34 (iii) observe the airspace for other air traffic or hazards; and

35 (iv) determine that the unmanned aircraft does not endanger the life or property of  
36 another person;

37 (b) ensure that the ability described in Subsection (2)(a)(i) is exercised by either:

38 (i) the operator of the unmanned aircraft; or

39 (ii) a visual observer.

40 (3) An individual may not operate an unmanned aircraft in Class B, Class C, or Class  
41 D airspace or within the lateral boundaries of the surface area of Class E airspace designated  
42 for an airport unless the operator of the unmanned aircraft has prior authorization from air  
43 traffic control.

44 (4) An individual may not operate an unmanned aircraft in a manner that interferes  
45 with operations and traffic patterns at any airport, heliport, or seaplane base.

46 (5) (a) ~~Am~~ Except as provided in Subsection (5)(b), an individual may not operate an  
47 unmanned aircraft system:

48 ~~(a)~~ (i) from a public transit rail platform or station; or

49 ~~(b)~~ (ii) ~~(+)~~ (A) under a height of 50 feet within a public transit fixed guideway  
50 right-of-way; and

51 ~~(+)~~ (B) directly above any overhead electric lines used to power a public transit rail  
52 vehicle.

53 (b) Notwithstanding Subsection (5)(a), an individual employed or contracted by a large  
54 public transit district may operate an unmanned aircraft from a public transit rail platform or  
55 station or near a public transit facility:

56 (i) to examine the public transit right-of-way for impediments or obstructions;

57 (ii) to examine a public transit facility for safety concerns; or

58 (iii) for any other safety-related purpose related to the operations of a large public

59 transit district.

60 (6) An individual may not operate an unmanned aircraft in violation of a notice to  
61 airmen described in 14 C.F.R. Sec. 107.47.

62 (7) An individual may not operate an unmanned aircraft at an altitude that is higher  
63 than 400 feet above ground level unless the unmanned aircraft:

64 (a) is flown within a 400-foot radius of a structure; and

65 (b) does not fly higher than 400 feet above the structure's immediate uppermost limit.

66 (8) (a) An individual who violates this section is liable for any damages that may result  
67 from the violation.

68 (b) A law enforcement officer shall issue a written warning to an individual who  
69 violates this section who has not previously received a written warning for a violation of this  
70 section.

71 (c) Except as provided in Subsection (8)(d), an individual who violates this section  
72 after receiving a written warning for a previous violation of this section is guilty of an  
73 infraction.

74 (d) An individual who violates this section is guilty of a class B misdemeanor for each  
75 conviction of a violation of this section after the individual is convicted of an infraction or a  
76 misdemeanor for a previous violation of this section.