

HB0142S01 compared with HB0142

~~text~~ shows text that was in HB0142 but was deleted in HB0142S01.

text shows text that was not in HB0142 but was inserted into HB0142S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Ryan D. Wilcox proposes the following substitute bill:

RAILROAD DRONE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: {}Ryan D. Wilcox

Senate Sponsor: {}_____

LONG TITLE

General Description:

This bill allows ~~a large public transit district to use~~the operation of an unmanned aircraft ~~to examine~~system near public transit facilities ~~for safety purposes~~or critical infrastructure facilities under certain circumstances.

Highlighted Provisions:

This bill:

- ▶ allows an individual to operate an unmanned aircraft system near or above public transit facilities if the individual is:
 - employed or contracted by a large public transit district to use an unmanned aircraft to examine public transit facilities for safety purposes; or
 - a member of law enforcement with a legitimate law enforcement purpose;
- ▶ prohibits the operation of an unmanned aircraft system near or above certain critical

HB0142S01 compared with HB0142

infrastructure facilities, with certain exceptions; and

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

72-10-1002, as renumbered and amended by Laws of Utah 2023, Chapter 216

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

Section 1. Section **72-10-1002** is amended to read:

72-10-1002. Safe operation of unmanned aircraft.

(1) An individual who operates an unmanned aircraft system to fly an unmanned aircraft for recreational purposes shall comply with this section or 14 C.F.R. Sec. 101, Subpart E.

(2) An individual operating an unmanned aircraft shall:

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

(i) know the location of the unmanned aircraft;

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

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

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

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

(i) the operator of the unmanned aircraft; or

(ii) a visual observer.

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

(4) An individual may not operate an unmanned aircraft in a manner that interferes

HB0142S01 compared with HB0142

with operations and traffic patterns at any airport, heliport, or seaplane base.

(5) (a) ~~[An]~~ Except as provided in Subsection (5)(b), an individual may not operate an unmanned aircraft system:

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

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

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

(b) Subsection (5)(a) does not apply to:

~~[(b)]~~(i) ~~[An]~~an individual employed or contracted by a large public transit district who may operate an unmanned aircraft from a public transit rail platform or station or near a public transit facility:

~~[(+)]~~(A) to examine the public transit right-of-way for impediments or obstructions;

~~[(+)]~~(B) to examine a public transit facility for safety concerns; or

~~[(+)]~~(C) for any other safety-related purpose related to the operations of a large public transit district~~;~~

~~—~~ ~~(6)]~~; or

(ii) an individual who is a member of law enforcement operating an unmanned aircraft system in accordance with Section 72-10-802.

(6) (a) An individual may not operate an unmanned aircraft over any surface critical infrastructure facility as defined in Section 76-6-106.3, unless the operator of the unmanned aircraft has prior authorization from the facility.

(b) Subsection (6)(a) does not apply to:

(i) a first responder, as that term is defined in Section 53-3-207; or

(ii) a state or federal agency with regulatory authority over the relevant critical infrastructure facility.

~~[(6)]~~ (7) An individual may not operate an unmanned aircraft in violation of a notice to airmen described in 14 C.F.R. Sec. 107.47.

~~[(7)]~~ (8) An individual may not operate an unmanned aircraft at an altitude that is higher than 400 feet above ground level unless the unmanned aircraft:

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

HB0142S01 compared with HB0142

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

~~[(8)]~~ (9) (a) An individual who violates this section is liable for any damages that may result from the violation.

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

(c) Except as provided in Subsection ~~[(8)(d)]~~ (9)(d), an individual who violates this section after receiving a written warning for a previous violation of this section is guilty of an infraction.

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

Section 2. **Effective date.**

This bill takes effect on May 1, 2024.