

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1347

By: Representative Maddox

For An Act To Be Entitled

AN ACT CONCERNING THE OFFENSE OF UNLAWFUL USE OF AN UNMANNED AIRCRAFT SYSTEM; TO AMEND THE DEFINITION OF "UNMANNED AIRCRAFT SYSTEM"; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE OFFENSE OF UNLAWFUL USE OF AN UNMANNED AIRCRAFT SYSTEM; AND TO AMEND THE DEFINITION OF "UNMANNED AIRCRAFT SYSTEM".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-60-103(a)(2), concerning the definition of "unmanned aircraft system" for the offense of unlawful use of an unmanned aircraft system, is amended to read as follows:

(2)(A) "Unmanned aircraft system" means an unmanned, powered aircraft that:

- (i) Does not carry a human operator;
- (ii) Can be autonomous or remotely piloted or

operated; and

- (iii) Can be expendable or recoverable.

(B) "Unmanned aircraft system" does not include:

- (i) A satellite orbiting the earth;
- (ii) An unmanned aircraft system used by the federal government or a person who is acting pursuant to contract with the federal government to conduct surveillance of specific critical infrastructure;
- (iii) An unmanned aircraft system used by the state



after consultation with the Governor or a person who is acting under contract with the state to conduct surveillance of specific critical infrastructure;

~~(iv)(a) An unmanned aircraft system used pursuant to prior written authorization of the Arkansas Department of Emergency Management.~~

~~(b) The department shall provide standards for authorizations under subdivision (a)(2)(B)(iv)(a) of this section in rules adopted in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., after consultation with the Governor;~~

~~(v)(iv)~~ An unmanned aircraft system used under a certificate of authorization issued by the Federal Aviation Administration; or

~~(vi)(v)~~ An unmanned aircraft used by a law enforcement agency, emergency medical service agency, hazardous materials response team, disaster management agency, or other emergency management agency for the purpose of incident command, area reconnaissance, personnel and equipment deployment monitoring, training, or a related purpose.