

2017 Regular Session

SENATE BILL NO. 69

BY SENATOR CARTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AIRCRAFT/AVIATION. Provides for the exclusive regulation of drones by the state. (gov sig)

1 AN ACT

2 To enact R.S. 2:2, relative to unmanned aircraft; to provide exclusive jurisdiction to the state

3 in the regulation of such systems; to preempt local ordinances, rules, regulations, and

4 codes; to provide for federal preemption; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 2:2 is hereby enacted to read as follows:

7 **§2:2. Regulation of unmanned aerial systems and unmanned aircraft systems;**

8 **preemption**

9 **A. Subject to the provisions of Subsection C of this Section and except**

10 **as otherwise provided by law:**

11 **(1) The state shall have exclusive jurisdiction to regulate all unmanned**

12 **aircraft systems and all unmanned aerial systems.**

13 **(2) State law shall supersede and preempt any rule, regulation, code, or**

14 **ordinance of any political subdivision or other unit of local government.**

15 **B. As used in this Section, the following phrases shall have the following**

16 **meanings:**

17 **(1) "Unmanned aerial system" means an unmanned aircraft and all**

1 associated support equipment, control station, data links, telemetry,  
2 communications, and navigation equipment necessary to operate the unmanned  
3 aircraft. The system may include drones, remote-controlled aircraft, unmanned  
4 aircraft, or any other such aircraft that is controlled autonomously by computer  
5 or remote control from the ground.

6 (2) "Unmanned aircraft system" means an unmanned, powered aircraft  
7 that does not carry a human operator, can be autonomous or remotely piloted  
8 or operated, and can be expendable or recoverable. "Unmanned aircraft  
9 system" does not include any of the following:

10 (a) A satellite orbiting the earth.

11 (b) An unmanned aircraft system used by the federal government or a  
12 person who is acting pursuant to contract with the federal government to  
13 conduct surveillance of specific activities.

14 (c) An unmanned aircraft system used by the state government or a  
15 person who is acting pursuant to a contract with the state government to  
16 conduct surveillance of specific activities.

17 (d) An unmanned aircraft system used by a local government law  
18 enforcement agency or fire department.

19 (e) An unmanned aircraft system used by a person, affiliate, employee,  
20 agent, or contractor of any business which is regulated by the Louisiana Public  
21 Service Commission or by a local franchising authority or the Federal  
22 Communications Commission under the Cable Television Consumer Protection  
23 and Competition Act of 1992 or of a municipal or public utility, while acting in  
24 the course and scope of his employment or agency relating to the operation,  
25 repair, or maintenance of a facility, servitude, or any property located on the  
26 immovable property which belongs to such a business.

27 C. If federal law or regulation preempts any provision of this Section,  
28 that provision of this Section shall be null.

29 Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature  
 2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 3 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 4 effective on the day following such approval.

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

---

DIGEST

SB 69 Original 2017 Regular Session Carter

Proposed law provides that, except as otherwise provided by law, the state shall have exclusive jurisdiction to regulate all unmanned aircraft systems and all unmanned aerial systems. Provides that state law shall supersede and preempt any rule, regulation, code, or ordinance of any political subdivision or other unit of local government.

Defines the following:

- (1) "Unmanned aerial system" means an unmanned aircraft and all associated support equipment, control station, data links, telemetry, communications, and navigation equipment necessary to operate the unmanned aircraft. Such system may include drones, remote-controlled aircraft, unmanned aircraft, or any other such aircraft that is controlled autonomously by computer or remote control from the ground.
- (2) "Unmanned aircraft system" means an unmanned, powered aircraft that does not carry a human operator, can be autonomous or remotely piloted or operated, and can be expendable or recoverable. "Unmanned aircraft system" does not include any of the following:
  - (a) A satellite orbiting the earth.
  - (b) 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 activities.
  - (c) An unmanned aircraft system used by the state government or a person who is acting pursuant to a contract with the state government to conduct surveillance of specific activities.
  - (d) An unmanned aircraft system used by a local government law enforcement agency or fire department.
  - (e) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of any business which is regulated by the Louisiana Public Service Commission or by a local franchising authority or the Federal Communications Commission under the Cable Television Consumer Protection and Competition Act of 1992 or of a municipal or public utility, while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property located on the immovable property which belongs to such a business.

Provides that if federal law or regulation preempts any provision of proposed law, that provision shall be null.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 2:2)