

SENATE BILL NO. 69

BY SENATORS CARTER AND THOMPSON

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

1 AN ACT

2 To enact R.S. 2:2, relative to unmanned aircraft; to provide for definitions; to provide  
3 exclusive jurisdiction to the state in the regulation of such systems; to preempt local  
4 ordinances, rules, regulations, and codes; to provide for federal preemption; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

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

8 **§2. Regulation of unmanned aerial systems and unmanned aircraft systems;**  
9 **preemption**

10 **A. Subject to the provisions of Subsection C of this Section and except**  
11 **as otherwise provided by law:**

12 **(1) The state shall have exclusive jurisdiction to regulate all unmanned**  
13 **aircraft systems and all unmanned aerial systems.**

14 **(2) State law shall supersede and preempt any rule, regulation, code, or**  
15 **ordinance of any political subdivision or other unit of local government.**

16 **B. As used in this Section, the following phrases shall have the following**  
17 **meanings:**

18 **(1) "Unmanned aerial system" means an unmanned aircraft and all**  
19 **associated support equipment, control station, data links, telemetry,**  
20 **communications, and navigation equipment necessary to operate the unmanned**  
21 **aircraft. The system may include drones, remote-controlled aircraft, unmanned**  
22 **aircraft, or any other such aircraft that is controlled autonomously by computer**  
23 **or remote control from the ground.**

24 **(2) "Unmanned aircraft system" means an unmanned, powered aircraft**

1 that does not carry a human operator, may be autonomous or remotely piloted  
2 or operated, and may be expendable or recoverable. "Unmanned aircraft  
3 system" does not include any of the following:

4 (a) A satellite orbiting the earth.

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

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

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

13 (e) An unmanned aircraft system used by a person, affiliate, employee,  
14 agent, or contractor of any business that is regulated by the Louisiana Public  
15 Service Commission, while acting in the course and scope of his employment or  
16 agency relating to the operation, repair, or maintenance of a facility, servitude,  
17 or any property located on the immovable property belonging to such business.

18 (f) An unmanned aircraft system used by a person, affiliate, employee,  
19 agent, or contractor of any business that is regulated by a local franchising  
20 authority, while acting in the course and scope of his employment or agency  
21 relating to the operation, repair, or maintenance of a facility, servitude, or any  
22 property located on the immovable property belonging to such business.

23 (g) An unmanned aircraft system used by a person, affiliate, employee,  
24 agent, or contractor of any business that is regulated by the Federal  
25 Communications Commission under the Cable Television Consumer Protection  
26 and Competition Act of 1992 or under Part 73 of Title 47 of the United States  
27 Code of Federal Regulations, while acting in the course and scope of his  
28 employment or agency relating to the operation, repair, or maintenance of a  
29 facility, servitude, or any property located on the immovable property  
30 belonging to such business.

1                    (h) An unmanned aircraft system used by a person, affiliate, employee,  
 2                    agent, or contractor of a municipal or public utility while acting in the course  
 3                    and scope of his employment or agency relating to the operation, repair, or  
 4                    maintenance of a facility, servitude, or any property located on the immovable  
 5                    property belonging to such municipal or public utility.

6                    (i) An unmanned aircraft system used by a person, affiliate, employee,  
 7                    agent, or contractor of any business that is regulated by the Federal Railroad  
 8                    Administration, while acting in the course and scope of his employment or  
 9                    agency relating to the operation, repair, or maintenance of a facility, equipment,  
 10                   servitude, or any property located on the immovable property belonging to such  
 11                   business.

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

14                   Section 2. This Act shall become effective upon signature by the governor or, if not  
 15                   signed by the governor, upon expiration of the time for bills to become law without signature  
 16                   by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 17                   vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 18                   effective on the day following such approval.

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 PRESIDENT OF THE SENATE

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 SPEAKER OF THE HOUSE OF REPRESENTATIVES

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 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_