

SB 459-FN - AS INTRODUCED

2016 SESSION

16-2705
03/09

SENATE BILL **459-FN**

AN ACT relative to operation of drones.

SPONSORS: Sen. Cataldo, Dist 6; Sen. Birdsell, Dist 19

COMMITTEE: Transportation

ANALYSIS

This bill establishes requirements for operation of drones.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Sixteen

AN ACT relative to operation of drones.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; Aeronautics; Prohibitions. Amend RSA 422:28 by inserting after paragraph XIII the following new paragraph:

XIV. For any person to operate an unmanned aircraft system, known as a drone, unless:

- (a) The person possesses a valid license or certification issued by the Federal Aviation Administration.
- (b) The person has received written permission for the operation from the owner of any private property that the drone flies over.
- (c) The drones flies no higher than 100 feet above land.
- (d) The operator is within visual range of the drone at all times.
- (e) The operator maintains liability insurance to the amount or limit of at least \$1,000,000 on account of injury to or death of any person resulting from operation of the drone.

2 New Paragraph; Aeronautics; Penalties. Amend RSA 422:29 by inserting after paragraph VIII the following new paragraph:

IX. Any person who violates RSA 422:28, XIV shall be guilty of a violation and subject to a \$1,000 fine and forfeiture of the drone.

3 Effective Date. This act shall take effect January 1, 2017.

LBAO
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SB 459-FN- FISCAL NOTE

AN ACT relative to operation of drones.

FISCAL IMPACT:

The Department of Transportation and Office of Legislative Budget Assistant state this bill, as introduced, may increase state revenue and expenditures and local expenditures by an indeterminable amount in FY 2017 and each year thereafter. There will be no impact on county revenue and expenditures or local revenues.

METHODOLOGY:

The Department of Transportation states this bill establishes criteria for unmanned aerial systems (AES's), or "drones", and establishes a violation level penalty and \$1,000 fine for non-compliance. The Department states this bill could result in additional state revenue collected through fine revenue and could also increase state and local costs relative to enforcement. Any impact is indeterminable as the Department cannot predict how many violations may occur.

The Legislative Budget Assistant Office states this bill contains a new violation level offense, which may have an impact on the Judicial Branch. There is no method to determine how many charges would be brought as a result of the changes contained in this bill to determine the impact on expenditures. However, the Judicial Branch has estimated the average cost for such cases to be \$48 in FY 2017 and \$51 in FY 2018.