

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

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HOUSE BILL 4

Short Title: Clarify Unmanned Aircraft System Law. (Public)

Sponsors: Representative Torbett (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Local Government, if favorable, Judiciary I.

January 29, 2015

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT AGENTS OR AGENCIES OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE SHALL HAVE AUTHORITY TO PROCURE AND OPERATE UNMANNED AIRCRAFT SYSTEMS UPON APPROVAL OF THE STATE CHIEF INFORMATION OFFICER.

The General Assembly of North Carolina enacts:

SECTION 1. Section 7.16(e) of S.L. 2013-360, as amended by Section 7.11(a) of S.L. 2014-100, reads as rewritten:

"SECTION 7.16.(e) Until December 31, 2015, no State or local governmental entity or officer may procure or operate an unmanned aircraft system or disclose personal information about any person acquired through the operation of an unmanned aircraft system unless the State CIO approves an exception specifically granting disclosure, use, or purchase. Any exceptions to the prohibition in this subsection shall be reported immediately the State CIO shall have the authority to approve or disapprove (i) the procurement or operation of an unmanned aircraft system by agents or agencies of the State or a political subdivision of the State, and (ii) the disclosure of personal information about any person acquired through the operation of an unmanned aircraft system by agents or agencies of the State or a political subdivision of the State. When making a decision under this subsection, the State CIO may consult with the Division of Aviation of the Department of Transportation. The State CIO shall immediately report to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division. Division on all decisions made under this subsection. Notwithstanding G.S. 63-95(c), agents or agencies of the State or a political subdivision of the State that receive State CIO approval under this subsection may procure or operate an unmanned aircraft system prior to the implementation of the knowledge and skills test required by G.S. 63-95. In addition to receiving approval from the State CIO under this subsection, agents or agencies of the State or a political subdivision of the State who submit a request on or after the date of implementation of the knowledge and skills test required by G.S. 63-95 shall also be subject to the provisions of that section. The following definitions apply in this section:

- (1) "Unmanned aircraft" means an aircraft that is operated without the possibility of human intervention from within or on the aircraft.
(2) "Unmanned aircraft system" means an unmanned aircraft and associated elements, including communication links and components that control the unmanned aircraft that are required for the pilot in command to operate safely and efficiently in the national airspace system."

SECTION 2. Section 34.30(j) of S.L. 2014-100 reads as rewritten:



1 "**SECTION 34.30.(j)** ~~No~~Except as authorized under Section 7.16(e) of S.L. 2013-360, no
2 operation of unmanned aircraft systems by agents or agencies of the ~~State, or agents or agencies~~
3 ~~of State or~~ a political subdivision of the ~~State, State~~ shall be authorized in this State until the
4 knowledge and skills test required by G.S. 63-95, as enacted in subsection (g) of this section,
5 has been implemented.

6 No operation of unmanned aircraft systems for commercial purposes shall be authorized in
7 this State until the FAA has authorized commercial operations and the licensing system
8 required by G.S. 63-96, as enacted in subsection (g) of this section, has been implemented."

9 **SECTION 3.** This act is effective when it becomes law.