

2023 -- S 0816

LC001594

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO AERONAUTICS -- UNPILOTED AERIAL VEHICLES

Introduced By: Senators McKenney, DeLuca, and Burke

Date Introduced: March 23, 2023

Referred To: Senate Judiciary

(RI Airport Corporation)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 1-8-1 of the General Laws in Chapter 1-8 entitled "Unpiloted Aerial
2 Vehicles" is hereby repealed.

3 ~~**1-8-1. Exclusive aerial regulations.**~~

4 ~~Subject to federal law, the state of Rhode Island and the Rhode Island airport corporation~~
5 ~~shall have exclusive legal authority to regulate any object capable of flying that is remotely~~
6 ~~controlled and flies autonomously through software-controlled flight plans embedded in the~~
7 ~~object's system by a global position system, commonly known as unpiloted aerial vehicles,~~
8 ~~remotely piloted aircraft, drones, or unmanned aircraft systems.~~

9 SECTION 2. Chapter 1-8 of the General Laws entitled "Unpiloted Aerial Vehicles" is
10 hereby amended by adding thereto the following sections:

11 **1-8-1.1. Definitions.**

12 When used in this chapter:

13 (1) "Unpiloted aircraft systems" or "UAS" means an unpiloted aerial vehicle and associated
14 elements and support equipment required for the safe and efficient operation of the UAV.

15 (2) "Unpiloted aerial vehicle" or "UAV" means a powered aerial vehicle that:

16 (i) Does not carry a human operator and is operated without the possibility of direct human
17 intervention from within or on the aircraft;

18 (ii) Uses aerodynamic forces to provide vehicle lift;

19 (iii) Can fly autonomously or be piloted remotely;

- 1 (iv) Weighs less than fifty-five pounds (55 lbs.).
2 (3) "Municipality" means any city, town or incorporated village within the state.
3 (4) "Operate" or "operation" means to fly, pilot, control, direct or program the flight of an
4 unpiloted aircraft system.

5 **1-8-1.2. Regulation of unpiloted aircraft systems.**

6 (a) Any operation of a UAV or UAS in the state shall comply with all applicable Federal
7 Aviation Administration ("FAA") requirements. Any UAV or UAS operating under the authority
8 of the Armed Forces of the United States, Department of Homeland Services or any other federal
9 agency having authority shall be exempt from this law.

10 (b) Any person who operates a UAV or UAS in violation of this chapter shall be subject to
11 penalty in accordance with § 1-4-19.

12 (c) No municipality shall enact or enforce any ordinance regulating the operation of UAVs
13 or UASs except as otherwise authorized by regulation or guideline promulgated by the Federal
14 Aviation Administration or the Rhode Island general laws.

15 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO AERONAUTICS -- UNPILOTED AERIAL VEHICLES

- 1 This act would provide for the regulation of unpiloted aircraft systems in accordance with
- 2 Federal Aviation Administration (FAA) requirements.
- 3 This act would take effect upon passage.

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