

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 659

By: Rosino and Bergstrom of the
Senate

3

and

4

Hilbert of the House

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7

An Act relating to aircraft and airports; amending 3
O.S. 2011, Section 82, which relates to definitions;
8 adding definitions; creating the Unmanned Aircraft
Systems Development Act of 2021; declaring intent of
9 Act; establishing the Clearinghouse for Unmanned
Aircraft Systems within the Oklahoma Aeronautics
10 Commission; stating purpose of Clearinghouse;
requiring use of best available practices; requiring
11 maintaining of certain registries related to unmanned
aircraft systems; providing for codification;
12 providing for noncodification; and providing an
effective date.

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15 AUTHOR: Add the following House Coauthor: Talley

16 AMENDMENT NO. 1. Delete the title, enacting clause and entire bill
and replace with:

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"An Act relating to aircraft and airports; creating
the Unmanned Aircraft Systems Development Act of
19 2021; stating legislative intent; establishing the
Oklahoma Aeronautics Commission as the clearinghouse
20 for unmanned aircraft systems (UAS); designating the
Commission as the agency to promote, enhance, develop
21 and ensure safety of UAS; stating purpose of the
clearinghouse; requiring the Commission cooperate
22 with other entities for the development and
acceptance of UAS; allowing the Commission to use
23 established processes or use of contracting to
achieve goals; stating primary goal of clearinghouse;
24 stating duties of clearinghouse; amending 3 O.S.

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1 2011, Section 82, which relates to definitions;
2 defining terms; providing for noncodification;
3 providing for codification; and providing an
4 effective date.

5 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

6 SECTION 1. NEW LAW A new section of law not to be
7 codified in the Oklahoma Statutes reads as follows:

8 A. This act shall be known and may be cited as the "Unmanned
9 Aircraft Systems Development Act of 2021".

10 B. It is the intent of the Oklahoma Legislature to bring
11 awareness to the fact that unmanned aircraft systems (UAS) or drones
12 offer extraordinary and vast potential for transforming the way we
13 live and work. Fully realizing and implementing the benefits of UAS
14 will require public acceptance and a comprehensive statewide
15 strategy. This act intends to ensure that the state's UAS resources
16 can be brought together to organize, collaborate and cooperate with
17 each other for the purposes of ensuring the successful integration
18 of UAS and to ensure that UAS are used in a safe, responsible and
19 lawful manner, so that the public can, with confidence, embrace this
20 new and incredible technology.

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 401 of Title 3, unless there is
23 created a duplication in numbering, reads as follows:

1 A. The Oklahoma Aeronautics Commission is hereby established as
2 the clearinghouse for unmanned aircraft systems (UAS) in the State
3 of Oklahoma and shall be designated as the agency of this state for
4 the promotion, enhancement and development of UAS and to ensure the
5 safe integration and use of this new technology within the state.
6 The purpose of this clearinghouse is to create a partnership between
7 those entities that currently operate UAS, those that desire to use
8 this technology in the future and other entities that can support
9 the research and development of UAS to ensure that the State of
10 Oklahoma can more effectively respond to the needs of this critical
11 sector of the aviation and aerospace industry. In the operation of
12 this clearinghouse, the Commission shall cooperate, assist and
13 coordinate with the federal government, agencies of this state,
14 tribal entities, municipalities and other persons in the development
15 of unmanned aircraft systems throughout the state to ensure the
16 acceptance of this technology and the successful integration of UAS
17 into the National Airspace System. Contingent upon the availability
18 of funds, the Oklahoma Aeronautics Commission may use established
19 program processes or may contract with other qualified entities to
20 carry out the duties and responsibilities of this act.

21 B. The primary goal of the UAS clearinghouse within the
22 Commission is to establish a central point within state government
23 to develop the strategy for how the State of Oklahoma can become a
24 leader in the UAS industry. It will focus the collective resources,

1 knowledge, information and assets within state government to ensure
2 coordinated efforts amongst all parties. The clearinghouse will:

3 1. Conduct research on what other states and localities are
4 doing insofar as their UAS rules and regulations so that it can
5 provide recommendations to ensure Oklahoma is in the best position
6 within the industry;

7 2. Organize and coordinate the application for any UAS test
8 site, integration opportunity, pilot program or grant funding on
9 behalf of the State of Oklahoma;

10 3. Maintain a registry of UAS being operated by state agencies,
11 except those UAS that are part of a university-affiliated research
12 program; and

13 4. Maintain a registry of educational institutions that offer
14 training programs for users of UAS.

15 SECTION 3. AMENDATORY 3 O.S. 2011, Section 82, is
16 amended to read as follows:

17 Section 82. As used in the Oklahoma Aeronautics Commission Act,
18 unless the context otherwise requires:

19 ~~(a)~~ 1. "Aeronautics" means the science, art, and practice of
20 flight including, but not limited to, transportation by aircraft and
21 matters relating to air commerce; the operation, construction,
22 repair, or maintenance of aircraft, aircraft power plants and
23 accessories, including the repair, packing, and maintenance of
24 parachutes; the design, establishment, construction, extension,

1 operation, improvement, repair, or maintenance of airports,
2 restricted landing areas, or other air navigation facilities; and
3 instruction in flying or ground subjects pertaining thereto-

4 ~~(b) "Aircraft" means any contrivance now known, or hereafter
5 invented, used, or designed for navigation of or flight in the air
6 or airspace.~~

7 ~~(c) "Airport" means an area of land or water that is used, or
8 intended to be used, for the landing and takeoff of aircraft, and
9 buildings and facilities, if any.~~

10 ~~(d) "Airspace" means that portion of the atmosphere overlying a
11 designated geographical area considered as subject to territorial
12 jurisdiction or international law in respect to its use by aircraft,
13 guided missiles, and rockets.~~

14 ~~(e) "Commission" means the Oklahoma Aeronautics Commission.~~

15 ~~(f) "Director" means the Director of Aeronautics of Oklahoma.~~

16 ~~(g) "State" or "this state" means the State of Oklahoma.~~

17 ~~(h) "Air navigation facility" means any facility used in,
18 available for use in, or designed for use in, aid of air navigation,
19 including landing areas, any structures, mechanisms, lights,
20 beacons, markers, communicating systems, or other instrumentalities
21 or devices used or useful as an aid, or constituting an advantage or
22 convenience, to the safe taking off, navigation, and landing of
23 aircraft, or the safe and efficient operation or maintenance of an
24 airport, and any combination of any or all of such facilities.~~

1 ~~(i) "Operation of aircraft" or "operate aircraft" means the~~
2 ~~use, navigation, or piloting of aircraft in the airspace over this~~
3 ~~state or upon any airport within this state.~~

4 ~~(j) "Airman" means any individual who engages, as the person in~~
5 ~~command, or as pilot, mechanic, or member of the crew, in the~~
6 ~~navigation of aircraft while under way, and any individual who is~~
7 ~~directly in charge of the inspection, maintenance, overhauling, or~~
8 ~~repair of aircraft, aircraft engines, propellers, and appliances.~~

9 ~~(k) "Person" means any individual, firm, partnership,~~
10 ~~corporation, company, association, joint stock association, or body~~
11 ~~politic; and includes any trustee, receiver, assignee, or other~~
12 ~~similar representative thereof.~~

13 ~~(l) "Municipality" means any incorporated city, village, or~~
14 ~~town of this state and any county or political subdivision or~~
15 ~~district in this state, or any public trust thereof, which is, or~~
16 ~~may be, authorized by law to acquire, establish, construct,~~
17 ~~maintain, improve, and operate airports, airstrips, and aeronautical~~
18 ~~navigation facilities.~~

19 ~~(m) "Aeronautical hazard" means any structure, object of~~
20 ~~natural growth, or use of land, which obstructs the airspace~~
21 ~~required for the flight of aircraft in landing or taking off at an~~
22 ~~airport that is otherwise hazardous to the operation and navigation~~
23 ~~of aircraft.~~

1 ~~(n) "Resources" means services, facilities, funds, equipment,~~
2 ~~property, personnel, and such other activities as are customarily~~
3 ~~included within the term.~~

4 ~~(o) "Helipad" means a small, designated area, usually with a~~
5 ~~prepared surface, on a heliport, airport, landing or takeoff area,~~
6 ~~apron or ramp, or movement area used for takeoff, landing or parking~~
7 ~~of helicopters.~~

8 ~~(p) "Heliport" means an area of land, water or structure used~~
9 ~~or intended to be used for the landing and takeoff of helicopters~~
10 ~~and includes its buildings and facilities, if any.~~

11 ~~(q) "Commercial service airport" means an airport meeting the~~
12 ~~current Federal Aviation Administration definition for commercial~~
13 ~~service airport.~~

14 ~~(r) "Primary commercial service airport" means an airport~~
15 ~~meeting the current Federal Aviation Administration definition for~~
16 ~~primary commercial service airport.~~

17 ~~(s) "Reliever airport" means an airport designated by the~~
18 ~~Federal Aviation Administration as a reliever airport and which~~
19 ~~provides substantial capacity or instrument training relief to a~~
20 ~~primary commercial service airport.~~

21 ~~(t) "General aviation airport" means an airport not meeting the~~
22 ~~criteria for definition as a commercial service or reliever airport;~~

23 2. "Aeronautical hazard" means any structure, object of natural
24 growth, or use of land, which obstructs the airspace required for

1 the flight of aircraft in landing or taking off at an airport that
2 is otherwise hazardous to the operation and navigation of aircraft;

3 3. "Air navigation facility" means any facility used in,
4 available for use in, or designed for use in, aid of air navigation,
5 including landing areas, any structures, mechanisms, lights,
6 beacons, markers, communicating systems, or other instrumentalities
7 or devices used or useful as an aid, or constituting an advantage or
8 convenience, to the safe taking off, navigation, and landing of
9 aircraft, or the safe and efficient operation or maintenance of an
10 airport, and any combination of any or all of such facilities;

11 4. "Aircraft" means any contraption now known, or hereafter
12 invented, used, or designed for navigation of or flight in the air
13 or airspace;

14 5. "Airman" means any individual who engages, as the person in
15 command, or as a pilot, mechanic, or member of the crew, in the
16 navigation of aircraft while under way, and any individual who is
17 directly in charge of the inspection, maintenance, overhauling, or
18 repair of aircraft, aircraft engines, propellers, and appliances;

19 6. "Airport" means an area of land or water that is used, or
20 intended to be used, for the landing and takeoff of aircraft, and
21 buildings and facilities, if any;

22 7. "Airspace" means that portion of the atmosphere overlying a
23 designated geographical area considered as subject to territorial
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1 jurisdiction or international law in respect to its use by aircraft,
2 guided missiles, and rockets;

3 8. "Commercial service airport" means an airport meeting the
4 current Federal Aviation Administration definition for commercial
5 service airport;

6 9. "Commission" means the Oklahoma Aeronautics Commission;

7 10. "Director" means the Director of Aeronautics of Oklahoma;

8 11. "General aviation airport" means an airport not meeting the
9 criteria for definition as a commercial service or reliever airport;

10 12. "Helipad" means a small, designated area, usually with a
11 prepared surface, on a heliport, airport, landing or takeoff area,
12 apron or ramp, or movement area used for takeoff, landing or parking
13 of helicopters;

14 13. "Heliport" means an area of land, water or structure used
15 or intended to be used for the landing and takeoff of helicopters
16 and includes its buildings and facilities, if any;

17 14. "Manned aircraft" means an aircraft, as defined in this
18 section, that is operated with a person in or on the aircraft;

19 15. "Model aircraft" means an aircraft as defined in this
20 section that is mechanically driven or launched into flight and that
21 meets all of the following requirements:

22 a. is flown solely for hobby or recreational purposes,
23 and

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1 b. is not used for payment, consideration, gratuity or
2 benefit, directly or indirectly charged, demanded,
3 received or collected by any person for the use of the
4 aircraft or any photographic or video image produced
5 by the aircraft;

6 16. "Municipality" means any incorporated city, village, or
7 town of this state and any county or political subdivision or
8 district in this state, or any public trust thereof, which is, or
9 may be, authorized by law to acquire, establish, construct,
10 maintain, improve, and operate airports, airstrips, and aeronautical
11 navigation facilities;

12 17. "Operation of aircraft" or "operate aircraft" means the
13 use, navigation, or piloting of aircraft in the airspace over this
14 state or upon any airport within this state;

15 18. "Person" means any individual, firm, partnership,
16 corporation, company, association, joint stock association, or body
17 politic and includes any trustee, receiver, assignee, or other
18 similar representative thereof;

19 19. "Primary commercial service airport" means an airport
20 meeting the current Federal Aviation Administration definition for
21 primary commercial service airport;

22 20. "Reliever airport" means an airport designated by the
23 Federal Aviation Administration as a reliever airport and which
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1 provides substantial capacity or instrument training relief to a
2 primary commercial service airport;

3 21. "Resources" means services, facilities, funds, equipment,
4 property, personnel, and such other activities as are customarily
5 included within the term;

6 22. "State" or "this state" means the State of Oklahoma;

7 23. "Unmanned aircraft" means an aircraft, as defined in this
8 section, that is operated without the possibility of human
9 intervention from within or on the aircraft; and

10 24. "Unmanned aircraft system" means an unmanned aircraft and
11 associated elements including communication links and components
12 that control the unmanned aircraft that are required for the pilot
13 in command to operate safely and efficiently in the National
14 Airspace System.

15 SECTION 4. This act shall become effective November 1, 2021."

16 Passed the House of Representatives the 7th day of April, 2021.

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19 _____
20 Presiding Officer of the House of
Representatives

21 Passed the Senate the ____ day of _____, 2021.

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24 _____
Presiding Officer of the Senate

1 ENGROSSED SENATE
2 BILL NO. 659

By: Rosino and Bergstrom of the
Senate

3 and

4 Hilbert of the House

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6
7 An Act relating to aircraft and airports; amending 3
8 O.S. 2011, Section 82, which relates to definitions;
9 adding definitions; creating the Unmanned Aircraft
10 Systems Development Act of 2021; declaring intent of
11 Act; establishing the Clearinghouse for Unmanned
12 Aircraft Systems within the Oklahoma Aeronautics
13 Commission; stating purpose of Clearinghouse;
14 requiring use of best available practices; requiring
15 maintaining of certain registries related to unmanned
16 aircraft systems; providing for codification;
17 providing for noncodification; and providing an
18 effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 5. AMENDATORY 3 O.S. 2011, Section 82, is
21 amended to read as follows:

22 Section 82. As used in the Oklahoma Aeronautics Commission Act,
23 unless the context otherwise requires:

24 ~~(a)~~ A. "Aeronautics" means the science, art, and practice of
flight including, but not limited to, transportation by aircraft and
matters relating to air commerce; the operation, construction,
repair, or maintenance of aircraft, aircraft power plants and
accessories including the repair, packing, and maintenance of

1 parachutes; the design, establishment, construction, extension,
2 operation, improvement, repair~~7~~ or maintenance of airports,
3 restricted landing areas, or other air navigation facilities; and
4 instruction in flying or ground subjects pertaining thereto.

5 ~~(b)~~ B. "Aircraft" means any contrivance now known, or hereafter
6 invented, used~~7~~ or designed for navigation of or flight in the air
7 or airspace.

8 ~~(c)~~ C. "Airport" means an area of land or water that is used,
9 or intended to be used, for the landing and takeoff of aircraft, and
10 buildings and facilities, if any.

11 ~~(d)~~ D. "Airspace" means that portion of the atmosphere
12 overlying a designated geographical area considered as subject to
13 territorial jurisdiction or international law in respect to its use
14 by aircraft, guided missiles~~7~~ and rockets.

15 ~~(e)~~ E. "Commission" means the Oklahoma Aeronautics Commission.

16 ~~(f)~~ F. "Director" means the Director of Aeronautics of
17 Oklahoma.

18 ~~(g)~~ G. "State" or "this state" means the State of Oklahoma.

19 ~~(h)~~ H. "Air navigation facility" means any facility used in,
20 available for use in, or designed for use in, aid of air navigation,
21 including landing areas, any structures, mechanisms, lights,
22 beacons, markers, communicating systems~~7~~ or other instrumentalities
23 or devices used or useful as an aid, or constituting an advantage or
24 convenience, to the safe taking off, navigation~~7~~ and landing of

1 aircraft, or the safe and efficient operation or maintenance of an
2 airport, and any combination of any or all of such facilities.

3 ~~(i)~~ I. "Operation of aircraft" or "operate aircraft" means the
4 use, navigation~~7~~ or piloting of aircraft in the airspace over this
5 state or upon any airport within this state.

6 ~~(j)~~ J. "Airman" means any individual who engages, as the person
7 in command, or as pilot, mechanic~~7~~ or member of the crew, in the
8 navigation of aircraft while under way, and any individual who is
9 directly in charge of the inspection, maintenance, overhauling~~7~~ or
10 repair of aircraft, aircraft engines, propellers~~7~~ and appliances.

11 ~~(k)~~ K. "Person" means any individual, firm, partnership,
12 corporation, company, association, joint stock association~~7~~ or body
13 politic; and includes any trustee, receiver, assignee~~7~~ or other
14 similar representative thereof.

15 ~~(l)~~ L. "Municipality" means any incorporated city, village~~7~~ or
16 town of this state and any county or political subdivision or
17 district in this state, or any public trust thereof, which is, or
18 may be, authorized by law to acquire, establish, construct,
19 maintain, improve, and operate airports, airstrips~~7~~ and aeronautical
20 navigation facilities.

21 ~~(m)~~ M. "Aeronautical hazard" means any structure, object of
22 natural growth, or use of land, which obstructs the airspace
23 required for the flight of aircraft in landing or taking off at an
24

1 | airport that is otherwise hazardous to the operation and navigation
2 | of aircraft.

3 | ~~(n)~~ N. "Resources" means services, facilities, funds,
4 | equipment, property, personnel, and such other activities as are
5 | customarily included within the term.

6 | ~~(o)~~ O. "Helipad" means a small, designated area, usually with a
7 | prepared surface, on a heliport, airport, landing or takeoff area,
8 | apron or ramp, or movement area used for takeoff, landing or parking
9 | of helicopters.

10 | ~~(p)~~ P. "Heliport" means an area of land, water or structure
11 | used or intended to be used for the landing and takeoff of
12 | helicopters and includes its buildings and facilities, if any.

13 | ~~(q)~~ Q. "Commercial service airport" means an airport meeting
14 | the current Federal Aviation Administration definition for
15 | commercial service airport.

16 | ~~(r)~~ R. "Primary commercial service airport" means an airport
17 | meeting the current Federal Aviation Administration definition for
18 | primary commercial service airport.

19 | ~~(s)~~ S. "Reliever airport" means an airport designated by the
20 | Federal Aviation Administration as a reliever airport and which
21 | provides substantial capacity or instrument training relief to a
22 | primary commercial service airport.

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1 ~~(t)~~ T. "General aviation airport" means an airport not meeting
2 the criteria for definition as a commercial service or reliever
3 airport.

4 U. "Manned aircraft" means an aircraft, as defined in this
5 section, that is operated with a person in or on the aircraft.

6 V. "Model aircraft" means an aircraft, as defined in this
7 section, that is mechanically driven or launched into flight and
8 that meets both of the following requirements:

9 1. Is flown solely for hobby or recreational purposes; and

10 2. Is not used for payment, consideration, gratuity or benefit,
11 directly or indirectly charged, demanded, received or collected by
12 any person for the use of the aircraft or any photographic or video
13 image produced by the aircraft.

14 W. "Unmanned aircraft" means an aircraft, as defined in this
15 section, that is operated without the possibility of human
16 intervention from within or on the aircraft.

17 X. "Unmanned aircraft system" means an unmanned aircraft, as
18 defined in this section, and associated elements including
19 communication links and components that control the unmanned
20 aircraft, that are required for the pilot in command to operate
21 safely and efficiently in the national airspace system.

22 SECTION 6. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 400 of Title 3, unless there is
24 created a duplication in numbering, reads as follows:

1 This act shall be known and may be cited as the "Unmanned
2 Aircraft Systems Development Act of 2021".

3 SECTION 7. NEW LAW A new section of law not to be
4 codified in the Oklahoma Statutes reads as follows:

5 Unmanned aircraft systems (UAS) or drones offer extraordinary
6 and vast potential for transforming the way we live and work. Fully
7 realizing and implementing the benefits of UAS will require public
8 acceptance and a comprehensive statewide strategy. The intent of
9 this act is to ensure that UAS resources of the state can be brought
10 together to organize, collaborate and cooperate with each other for
11 the purposes of ensuring the successful integration of UAS and to
12 ensure that UAS are used in a safe, responsible and lawful manner so
13 that the public can embrace this technology.

14 SECTION 8. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 401 of Title 3, unless there is
16 created a duplication in numbering, reads as follows:

17 A. The Oklahoma Aeronautics Commission is hereby established as
18 the Clearinghouse for Unmanned Aircraft Systems (UAS) in this state
19 and shall be designated as the agency of this state for the
20 promotion, enhancement and development of UAS to ensure the safe
21 integration and use of this new technology within this state.

22 B. The purpose of this Clearinghouse is to create a partnership
23 between those persons and entities that currently operate UAS, those
24 that desire to use this technology in the future and any other

1 entity that supports the research and development of UAS, to ensure
2 that this state can more effectively respond to the needs of the
3 aviation and aerospace industry.

4 C. In the operation of the Clearinghouse, the Commission shall
5 cooperate, assist and coordinate with the federal government,
6 agencies of this state, tribal entities, municipalities and other
7 persons or entities in the development of UAS throughout this state
8 to ensure the acceptance of this technology and the successful
9 integration of UAS into the National Airspace System. Contingent
10 upon the availability of funds, the Commission may use established
11 program processes or may contract with other qualified entities to
12 carry out the duties and responsibilities of this act.

13 D. The primary goal of the UAS Clearinghouse within the
14 Commission is to establish a central point within state government
15 to develop the strategy for how this state can become a leader in
16 the UAS industry. It shall focus the collective resources,
17 knowledge, information and assets within state government to ensure
18 coordinated efforts amongst all parties.

19 E. The Clearinghouse shall:

20 1. Conduct research on UAS rules, regulations and policies of
21 other states and municipalities so that it may provide
22 recommendations to ensure this state is utilizing the best practices
23 available within the industry;

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1 2. Organize and coordinate the applications, letters of
2 support, informational materials and notices or groups for any new
3 UAS test site, integration opportunity, pilot program or grant
4 funding when acting on behalf of this state;

5 3. Maintain a registry of UAS operated by state agencies; and

6 4. Maintain a registry of educational institutions offering
7 training programs for users of UAS.

8 SECTION 9. This act shall become effective November 1, 2021.

9 Passed the Senate the 9th day of March, 2021.

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Presiding Officer of the Senate

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13 Passed the House of Representatives the ____ day of _____,
14 2021.

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Presiding Officer of the House
of Representatives

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