

# An Act

ENROLLED SENATE  
BILL NO. 659

By: Rosino and Bergstrom of the  
Senate

and

Hilbert and Talley of the  
House

An Act relating to aircraft and airports; creating the Unmanned Aircraft Systems Development Act of 2021; stating legislative intent; establishing the Oklahoma Aeronautics Commission as the clearinghouse for unmanned aircraft systems (UAS); designating the Commission as the agency to promote, enhance, develop and ensure safety of UAS; stating purpose of the clearinghouse; requiring the Commission cooperate with other entities for the development and acceptance of UAS; allowing the Commission to use established processes or use of contracting to achieve goals; stating primary goal of clearinghouse; stating duties of clearinghouse; amending 3 O.S. 2011, Section 82, which relates to definitions; defining terms; providing for noncodification; providing for codification; and providing an effective date.

SUBJECT: Oklahoma Aeronautics Commission

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

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

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

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

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

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

B. The primary goal of the UAS clearinghouse within the Commission is to establish a central point within state government

to develop the strategy for how the State of Oklahoma can become a leader in the UAS industry. It will focus the collective resources, knowledge, information and assets within state government to ensure coordinated efforts amongst all parties. The clearinghouse will:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(l) "Municipality" means any incorporated city, village, or town of this state and any county or political subdivision or district in this state, or any public trust thereof, which is, or~~

~~may be, authorized by law to acquire, establish, construct, maintain, improve, and operate airports, airstrips, and aeronautical navigation facilities.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9. "Commission" means the Oklahoma Aeronautics Commission;

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

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

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

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

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

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

- a. is flown solely for hobby or recreational purposes, and
- b. is not used for payment, consideration, gratuity or benefit, directly or indirectly charged, demanded, received or collected by any person for the use of the aircraft or any photographic or video image produced by the aircraft;

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

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

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

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

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

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

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

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

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

Passed the Senate the 29th day of April, 2021.

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Presiding Officer of the Senate

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

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_