

1 **SENATE FLOOR VERSION**

2 February 24, 2021

3 SENATE BILL NO. 659

By: Rosino of the Senate

4 and

5 Hilbert of the House

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

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

21 SECTION 1. AMENDATORY 3 O.S. 2011, Section 82, is  
22 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

1 convenience, to the safe taking off, navigation~~7~~ and landing of  
2 aircraft, or the safe and efficient operation or maintenance of an  
3 airport, and any combination of any or all of such facilities.

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

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

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

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

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

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.

23 |

24 |

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 2.       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 3. 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 4. 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;

24

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 5. This act shall become effective November 1, 2021.

9           COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS

10          February 24, 2021 - DO PASS

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24