

ENROLLED ACT NO. 83, SENATE

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

AN ACT relating to aeronautics; authorizing the Wyoming aeronautics commission to promulgate rules related to unmanned aircraft; amending powers and duties of the commission; amending provisions related to investigations and hearings; amending provisions related to low or dangerous flight and unauthorized landings; authorizing the Wyoming department of transportation to seek federal and other funding assistance related to unmanned aircraft; making conforming amendments; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 10-1-101(a) by creating new paragraphs (ix) and (x) and by renumbering (ix) as (xi), 10-3-201(e) and by creating a new subsection (j), 10-3-301 and 10-4-303(a)(intro), (b) and by creating a new subsection (c) are amended to read:

10-1-101. Definitions.

(a) As used in this act:

(ix) "Operator" means a person operating or flying an unmanned aircraft;

(x) "Unmanned aircraft" means as defined in 14 C.F.R. 1.1, but excludes "small unmanned aircraft" as defined in 14 C.F.R. 1.1;

~~(ix)~~ (xi) "This act" means W.S. 10-1-101 through 10-6-104.

10-3-201. Powers and duties generally.

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(e) The commission shall assist communities in coordinating efforts, facilitating, recruiting and attracting and promoting the development, improvement and retention of commercial air service and accommodating military air service in the state. The assistance may include studying airline, ~~and~~ aircraft and unmanned aircraft profitability, route analysis, air fare monitoring and recommendations for legislative changes to enhance air services in the state.

(j) The commission shall promulgate reasonable rules governing where unmanned aircraft may take off and land, giving consideration to public health and safety, aesthetics and the general welfare. Unless otherwise prohibited by or previously provided for in federal law, the commission may also promulgate reasonable rules governing the operation of unmanned aircraft. In promulgating any rules governing unmanned aircraft, the commission shall coordinate with the unmanned aircraft industry in Wyoming and political subdivisions of the state. The commission shall not have the power to regulate unmanned aircraft operation in navigable airspace.

10-3-301. Conducting investigations and hearings; accidents to be reported.

The commission may conduct investigations, inquiries and hearings concerning the laws of this state relating to aeronautics and accidents or injuries incident to the operation of aircraft, including unmanned aircraft, occurring within this state. Members of the commission may administer oaths and affirmations, certify to all official acts, issue subpoenas and compel the attendance and testimony of witnesses and the production of papers, books and documents. All accidents or injuries incident to the

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operation of aircraft occurring within this state shall be immediately reported to the commission.

10-4-303. Low or dangerous flight; landing on land or water of another.

(a) Flight ~~in~~of aircraft, including unmanned aircraft, over the lands and waters of this state is lawful unless it is:

(b) The landing of an aircraft, including an unmanned aircraft, on the lands or waters of another, without his consent, is unlawful, except in the case of a forced landing. For damages caused by a forced landing, however, the owner, operator or lessee of the aircraft or the airman shall be liable for actual damage caused by the forced landing.

(c) Except as provided in subsection (a) of this section, nothing in this chapter shall be construed to prevent an operator or pilot from operating an aircraft, including an unmanned aircraft, over his own property.

Section 2. The Wyoming department of transportation may seek any federal or other funding assistance related to unmanned aircraft.

ORIGINAL SENATE
FILE NO. SF0170

ENGROSSED

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Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk