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SENATE BILL 6356

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State of Washington

65th Legislature

2018 Regular Session

By Senators Rolfes and Honeyford

Read first time 01/12/18. Referred to Committee on Law & Justice.

1 AN ACT Relating to prohibiting the operation of unmanned aircraft  
2 over certain facilities; adding a new section to chapter 9A.76 RCW;  
3 and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.76  
6 RCW to read as follows:

7 (1) For purposes of this section, "critical infrastructure  
8 facility" means a military installation under the jurisdiction of the  
9 United States department of defense.

10 (2) A person is guilty of the prohibited operation of an unmanned  
11 aircraft if the person intentionally or knowingly:

12 (a) Operates an unmanned aircraft over a critical infrastructure  
13 facility and the unmanned aircraft is less than four hundred feet  
14 above ground level;

15 (b) Allows an unmanned aircraft to make contact with a critical  
16 infrastructure facility, including any person or object on the  
17 premises of or within the facility; or

18 (c) Allows an unmanned aircraft to come within a distance of a  
19 critical infrastructure facility that is close enough to interfere  
20 with the operations of or cause a disturbance to the facility.

1           (3) This section does not apply to conduct described in  
2 subsection (2) of this section that is committed by:  
3           (a) The federal government, the state of Washington, or any  
4 authorized governmental entity;  
5           (b) A law enforcement agency;  
6           (c) An owner or operator of a critical infrastructure facility;  
7           (d) Any person or entity under contract with or otherwise acting  
8 under the direction of an entity described in (a) through (c) of this  
9 subsection;  
10          (e) The owner or occupant of the property on which the critical  
11 infrastructure facility is located and any other person or entity who  
12 has prior written consent of the owner or operator of the critical  
13 infrastructure facility; or  
14          (f) An operator of an unmanned aircraft that is being used for a  
15 commercial purpose, if the operator is authorized by the federal  
16 aviation administration to conduct operations over that airspace.  
17          (4) The prohibited operation of an unmanned aircraft in violation  
18 of this section is a misdemeanor, except that the violation is a  
19 gross misdemeanor if the person has previously been convicted under  
20 this section.

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