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**Innovation, Technology & Economic  
Development Committee**

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**HB 1766**

**Brief Description:** Concerning unmanned aircraft.

**Sponsors:** Representatives Lovick, Griffey, Pettigrew, Goodman, Sells, Orwall, Kilduff, Tarleton, Valdez, Gregerson, Mead, Callan, Walen, Appleton, Ortiz-Self, Kirby, Cody, Morgan, Riccelli, Macri, Davis, Bergquist, Ryu, Lekanoff, Stokesbary, Irwin, Vick and Shea.

**Brief Summary of Bill**

- Establishes criminal penalties for certain unlawful uses of an unmanned aircraft.
- Provides that the state preempts the field of unmanned aircraft regulation within the boundaries of the state.

**Hearing Date:** 2/12/19

**Staff:** Yelena Baker (786-7301).

**Background:**

Federal law defines an unmanned aircraft system as an aircraft that is operated without the possibility of direct human intervention from within or upon it. Other names for unmanned aircraft system include unmanned aircraft and drones.

The Federal Aviation Administration (FAA) has broad authority to regulate the use of airspace, and in 2016 finalized the first rules governing the operation and certification of small unmanned aircraft weighing less than 55 pounds. The rules do not apply to unmanned aircraft flown for recreational purposes, which must be registered with the FAA and follow certain basic flying rules.

State law relating to the crime of voyeurism prohibit surveillance of a person in a place where he or she would have a reasonable expectation of privacy. State law relating to contraband prohibits

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delivery of contraband to any person confined in a detention facility and provides for criminal penalties for the offense depending on the nature of contraband. No state laws specifically regulate unmanned aircraft.

**Summary of Bill:**

"Unmanned aircraft" means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

It is unlawful to knowingly use an unmanned aircraft to:

- conduct surveillance of another person in a private place;
- operate an unmanned aircraft in a manner which places another person in reasonable fear of bodily injury; or
- deliver contraband to a person confined in a detention facility.

Unlawful use of an unmanned aircraft is a gross misdemeanor. It is a defense that the use of the unmanned aircraft was for the purpose of performing official duties by certain public or utility employees or agents, or for aerial data collection in certain circumstances.

The field of unmanned aircraft regulation within the boundaries of the state is preempted by the state. Local government is prohibited from enacting any laws, ordinances, or resolutions related to unmanned aircraft, unless specifically authorized by statute. Any local laws, ordinances, and resolutions in violation of these provisions are void.

**Appropriation:** None.

**Fiscal Note:** Requested on February 7, 2019.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.