

**SHB 1379** - S COMM AMD

By Committee on Transportation

**ADOPTED 04/08/2021**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 47.68  
4 RCW to read as follows:

5 (1) Within amounts collected from commercial unpiloted aircraft  
6 registration fees pursuant to RCW 47.68.250(1), the aviation division  
7 director (also known as the senior state aviation official) or the  
8 aviation division director's designee shall act as the unpiloted  
9 aircraft system coordinator. The unpiloted aircraft system  
10 coordinator serves primarily in an advisory role and is not  
11 authorized to direct unpiloted aircraft system operations, training,  
12 or policy outside the department. The duties of the unpiloted  
13 aircraft system coordinator include:

14 (a) Assisting with unpiloted aircraft system training and  
15 continuing education for state agencies;

16 (b) Coordinating with local governments on state and federal  
17 unpiloted aircraft system policies and regulations;

18 (c) Acting as a state level coordinator for unpiloted aircraft  
19 system operations during a governor declaration of emergency pursuant  
20 to RCW 43.06.210;

21 (d) Coordinating with the federal aviation administration and  
22 state agencies on unpiloted aircraft system trends;

23 (e) Identifying and disseminating information on unpiloted  
24 aircraft system training sites;

25 (f) Establishing and maintaining an unpiloted aircraft system  
26 coordination website for state and local governments;

27 (g) Assisting with the advancement of unpiloted aircraft systems  
28 across the state in coordination with the department of commerce, the  
29 aerospace industry, and the commercial unmanned aircraft systems  
30 industry;

1 (h) Acting as the principal advisor to the secretary on unpiloted  
2 aircraft system matters;

3 (i) Undertaking other unpiloted aircraft system coordination  
4 duties that are deemed appropriate by the aviation division director  
5 and the unpiloted aircraft system coordinator including, but not  
6 limited to, overseeing unpiloted aircraft system symposiums or other  
7 events for state agencies and other stakeholder groups.

8 (2) The department may adopt rules to implement this section.

9 (3) By December 1, 2022, the department shall provide a report to  
10 the transportation committees of the legislature and the department  
11 of commerce that provides details on the specific activities,  
12 accomplishments, and opportunities undertaken by the unpiloted  
13 aircraft system coordinator as to each of the duties provided in this  
14 section. The report must also be shared with interested aviation and  
15 aerospace industry stakeholders. The report shall include:

16 (a) Information on the specific activities, accomplishments, and  
17 opportunities taken by the aviation division director or the  
18 director's designee in their role as the unpiloted aircraft system  
19 coordinator;

20 (b) A statement on the justification and need for the aviation  
21 division director or the director's designee to continue to perform  
22 the specific activities of the unpiloted aircraft system coordinator;  
23 and

24 (c) Recommendations on any changes to the scope of the work and  
25 duties of the unpiloted aircraft system coordinator. This shall  
26 include recommendations on the reassignment of duties of the  
27 unpiloted aircraft system coordinator to the department's aviation  
28 division and recommendations on the termination of the unpiloted  
29 aircraft system coordinator position.

30 **Sec. 2.** RCW 47.68.250 and 2020 c 304 s 3 are each amended to  
31 read as follows:

32 (1) Every aircraft, inclusive of commercial unpiloted aircraft  
33 systems, must be registered with the department for each calendar  
34 year in which the aircraft is operated or is based within this state.  
35 A fee of fifteen dollars is charged for each such registration and  
36 each annual renewal thereof.

37 (2) The department must review the fee schedule based on the  
38 number of unpiloted aircraft systems registered under any single  
39 entity. Consideration should be given to the cost to administer the

1 program and the number of commercial aircraft registered in the  
2 state. The department shall collaborate with the department of  
3 commerce, the department of revenue, and industry representatives in  
4 determining any recommendations to revise the initial fee. The report  
5 is due to the transportation committees of the legislature by  
6 December 1, 2022.

7 (3) Possession of the appropriate effective federal certificate,  
8 permit, rating, or license relating to ownership and airworthiness of  
9 the aircraft, and payment of the excise tax imposed by Title 82 RCW  
10 for the privilege of using the aircraft within this state during the  
11 year for which the registration is sought, and payment of the  
12 registration fee required by this section are the only requisites for  
13 registration of an aircraft under this section.

14 ~~((3))~~ (4) The registration fee imposed by this section is  
15 payable to and collected by the secretary. The fee for any calendar  
16 year must be paid during the month of January, and collected by the  
17 secretary at the time of the collection by him or her of the excise  
18 tax. If the secretary is satisfied that the requirements for  
19 registration of the aircraft have been met, he or she must issue to  
20 the owner of the aircraft a certificate of registration therefor. The  
21 secretary must pay to the state treasurer the registration fees  
22 collected under this section, which registration fees must be  
23 credited to the aeronautics account.

24 ~~((4))~~ (5) It is not necessary for the registrant to provide the  
25 secretary with originals or copies of federal certificates, permits,  
26 ratings, or licenses. The secretary must issue certificates of  
27 registration, or such other evidences of registration or payment of  
28 fees as he or she may deem proper; and in connection therewith may  
29 prescribe requirements for the possession and exhibition of such  
30 certificates or other evidences.

31 ~~((5))~~ (6) The provisions of this section do not apply to:

32 (a) An aircraft owned by and used exclusively in the service of  
33 any government or any political subdivision thereof, including the  
34 government of the United States, any state, territory, or possession  
35 of the United States, or the District of Columbia, which is not  
36 engaged in carrying persons or property for commercial purposes;

37 (b) An aircraft registered under the laws of a foreign country;

38 (c) An aircraft that is owned by a nonresident if:

39 (i) The aircraft remains in this state or is based in this state,  
40 or both, for a period less than ninety days; or

1 (ii) The aircraft is a large private airplane as defined in RCW  
2 82.08.215 and remains in this state for a period of ninety days or  
3 longer, but only when:

4 (A) The airplane is in this state exclusively for the purpose of  
5 repairs, alterations, or reconstruction, including any flight testing  
6 related to the repairs, alterations, or reconstruction, or for the  
7 purpose of continual storage of not less than one full calendar year;

8 (B) An employee of the facility providing these services is on  
9 board the airplane during any flight testing; and

10 (C) Within ninety days of the date the airplane first arrived in  
11 this state during the calendar year, the nonresident files a written  
12 statement with the department indicating that the airplane is exempt  
13 from registration under this subsection (~~((5))~~) (6)(c)(ii). The  
14 written statement must be filed in a form and manner prescribed by  
15 the department and must include such information as the department  
16 requires. The department may require additional periodic verification  
17 that the airplane remains exempt from registration under this  
18 subsection (~~((5))~~) (6)(c)(ii) and that written statements conform  
19 with the provisions of chapter 5.50 RCW;

20 (d) (~~(A)~~) A piloted aircraft engaged principally in commercial  
21 flying constituting an act of interstate or foreign commerce;

22 (e) An aircraft owned by the commercial manufacturer thereof  
23 while being operated for test or experimental purposes, or for the  
24 purpose of training crews for purchasers of the aircraft;

25 (f) An aircraft being held for sale, exchange, delivery, test, or  
26 demonstration purposes solely as stock in trade of an aircraft dealer  
27 licensed under Title 14 RCW; (~~and~~)

28 (g) An aircraft based within the state that is in an unairworthy  
29 condition, is not operated within the registration period, and has  
30 obtained a written exemption issued by the secretary; and

31 (h) Unpiloted aircraft systems used exclusively for hobby or  
32 recreation.

33 (~~((6))~~) (7) The secretary must be notified within thirty days of  
34 any change in ownership of a registered aircraft. The notification  
35 must contain the N, NC, NR, NL, or NX number of the aircraft, the  
36 full name and address of the former owner, and the full name and  
37 address of the new owner. For failure to so notify the secretary, the  
38 registration of that aircraft may be canceled by the secretary,  
39 subject to reinstatement upon application and payment of a  
40 reinstatement fee of ten dollars by the new owner.

1        ~~((7))~~ (8) A municipality or port district that owns, operates,  
2 or leases an airport, as defined in RCW 47.68.020, with the intent to  
3 operate, must require from an aircraft owner proof of aircraft  
4 registration as a condition of leasing or selling tiedown or hangar  
5 space for an aircraft. It is the responsibility of the lessee or  
6 purchaser to register the aircraft. Proof of registration must be  
7 provided according to the following schedule:

8        (a) For the purchase of tiedown or hangar space, the municipality  
9 or port district must allow the purchaser thirty days from the date  
10 of the application for purchase to produce proof of aircraft  
11 registration.

12        (b) For the lease of tiedown or hangar space that extends thirty  
13 days or more, the municipality or port district must allow the lessee  
14 thirty days to produce proof of aircraft registration from the date  
15 of the application for lease of tiedown or hangar space.

16        (c) For the lease of tiedown or hangar space that extends less  
17 than thirty days, the municipality or port district must allow the  
18 lessee to produce proof of aircraft registration at any point prior  
19 to the final day of the lease.

20        ~~((8))~~ (9) The airport must work with the aviation division to  
21 assist in its efforts to register aircraft by providing information  
22 about based aircraft on an annual basis as requested by the division.

23        (10) The department may adopt rules to implement this section.

24        **Sec. 3.** RCW 47.68.250 and 2019 c 232 s 23 are each amended to  
25 read as follows:

26        (1) Every aircraft, inclusive of commercial unpowered aircraft  
27 systems, must be registered with the department for each calendar  
28 year in which the aircraft is operated or is based within this state.  
29 A fee of fifteen dollars is charged for each such registration and  
30 each annual renewal thereof.

31        (2) The department must review the fee schedule based on the  
32 number of unpowered aircraft systems registered under any single  
33 entity. Consideration should be given to the cost to administer the  
34 program and the number of commercial aircraft registered in the  
35 state. The department shall collaborate with the department of  
36 commerce, the department of revenue, and industry representatives in  
37 determining any recommendations to revise the initial fee. The report  
38 is due to the transportation committees of the legislature by  
39 December 1, 2022.

1        (3) Possession of the appropriate effective federal certificate,  
2 permit, rating, or license relating to ownership and airworthiness of  
3 the aircraft, and payment of the excise tax imposed by Title 82 RCW  
4 for the privilege of using the aircraft within this state during the  
5 year for which the registration is sought, and payment of the  
6 registration fee required by this section are the only requisites for  
7 registration of an aircraft under this section.

8        ~~((3))~~ (4) The registration fee imposed by this section is  
9 payable to and collected by the secretary. The fee for any calendar  
10 year must be paid during the month of January, and must be collected  
11 by the secretary at the time of the collection by him or her of the  
12 excise tax. If the secretary is satisfied that the requirements for  
13 registration of the aircraft have been met, he or she must issue to  
14 the owner of the aircraft a certificate of registration therefor. The  
15 secretary must pay to the state treasurer the registration fees  
16 collected under this section, which registration fees must be  
17 credited to the aeronautics account.

18        ~~((4))~~ (5) It is not necessary for the registrant to provide the  
19 secretary with originals or copies of federal certificates, permits,  
20 ratings, or licenses. The secretary must issue certificates of  
21 registration, or such other evidences of registration or payment of  
22 fees as he or she may deem proper; and in connection therewith may  
23 prescribe requirements for the possession and exhibition of such  
24 certificates or other evidences.

25        ~~((5))~~ (6) The provisions of this section do not apply to:

26        (a) An aircraft owned by and used exclusively in the service of  
27 any government or any political subdivision thereof, including the  
28 government of the United States, any state, territory, or possession  
29 of the United States, or the District of Columbia, which is not  
30 engaged in carrying persons or property for commercial purposes;

31        (b) An aircraft registered under the laws of a foreign country;

32        (c) An aircraft that is owned by a nonresident if:

33        (i) The aircraft remains in this state or is based in this state,  
34 or both, for a period less than ninety days; or

35        (ii) The aircraft is a large private airplane as defined in RCW  
36 82.08.215 and remains in this state for a period of ninety days or  
37 longer, but only when:

38        (A) The airplane is in this state exclusively for the purpose of  
39 repairs, alterations, or reconstruction, including any flight testing

1 related to the repairs, alterations, or reconstruction, or for the  
2 purpose of continual storage of not less than one full calendar year;

3 (B) An employee of the facility providing these services is on  
4 board the airplane during any flight testing; and

5 (C) Within ninety days of the date the airplane first arrived in  
6 this state during the calendar year, the nonresident files a written  
7 statement with the department indicating that the airplane is exempt  
8 from registration under this subsection (~~((5))~~) (6)(c)(ii). The  
9 written statement must be filed in a form and manner prescribed by  
10 the department and must include such information as the department  
11 requires. The department may require additional periodic verification  
12 that the airplane remains exempt from registration under this  
13 subsection (~~((5))~~) (6)(c)(ii) and that written statements conform  
14 with the provisions of chapter 5.50 RCW;

15 (d) (~~(A)~~) A piloted aircraft engaged principally in commercial  
16 flying constituting an act of interstate or foreign commerce;

17 (e) An aircraft owned by the commercial manufacturer thereof  
18 while being operated for test or experimental purposes, or for the  
19 purpose of training crews for purchasers of the aircraft;

20 (f) An aircraft being held for sale, exchange, delivery, test, or  
21 demonstration purposes solely as stock in trade of an aircraft dealer  
22 licensed under Title 14 RCW; (~~and~~)

23 (g) An aircraft based within the state that is in an unairworthy  
24 condition, is not operated within the registration period, and has  
25 obtained a written exemption issued by the secretary; and

26 (h) Unpiloted aircraft systems used exclusively for hobby or  
27 recreation.

28 (~~((6))~~) (7) The secretary must be notified within thirty days of  
29 any change in ownership of a registered aircraft. The notification  
30 must contain the N, NC, NR, NL, or NX number of the aircraft, the  
31 full name and address of the former owner, and the full name and  
32 address of the new owner. For failure to so notify the secretary, the  
33 registration of that aircraft may be canceled by the secretary,  
34 subject to reinstatement upon application and payment of a  
35 reinstatement fee of ten dollars by the new owner.

36 (~~((7))~~) (8) A municipality or port district that owns, operates,  
37 or leases an airport, as defined in RCW 47.68.020, with the intent to  
38 operate, must require from an aircraft owner proof of aircraft  
39 registration as a condition of leasing or selling tiedown or hangar  
40 space for an aircraft. It is the responsibility of the lessee or

1 purchaser to register the aircraft. Proof of registration must be  
2 provided according to the following schedule:

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4 or port district must allow the purchaser thirty days from the date  
5 of the application for purchase to produce proof of aircraft  
6 registration.

7 (b) For the lease of tiedown or hangar space that extends thirty  
8 days or more, the municipality or port district must allow the lessee  
9 thirty days to produce proof of aircraft registration from the date  
10 of the application for lease of tiedown or hangar space.

11 (c) For the lease of tiedown or hangar space that extends less  
12 than thirty days, the municipality or port district must allow the  
13 lessee to produce proof of aircraft registration at any point prior  
14 to the final day of the lease.

15 ~~((+8))~~ (9) The airport must work with the aviation division to  
16 assist in its efforts to register aircraft by providing information  
17 about based aircraft on an annual basis as requested by the division.

18 (10) The department may adopt rules to implement this section.

19 **Sec. 4.** RCW 47.68.020 and 1993 c 208 s 4 are each amended to  
20 read as follows:

21 As used in this chapter, unless the context clearly indicates  
22 otherwise:

23 (1) "Aeronautics" means the science and art of flight and  
24 including, but not limited to, transportation by aircraft; the  
25 operation, construction, repair, or maintenance of aircraft, aircraft  
26 power plants and accessories, including the repair, packing, and  
27 maintenance of parachutes; the design, establishment, construction,  
28 extension, operation, improvement, repair, or maintenance of airports  
29 or air navigation facilities; and instruction in flying or ground  
30 subjects pertaining thereto.

31 (2) "Aircraft" means ~~((any))~~ a piloted or unmanned contrivance  
32 now known, or hereafter invented, used or designed for navigation of  
33 or flight in the air.

34 (3) "Airport" means any area of land or water which is used, or  
35 intended for use, for the landing and take-off of aircraft, and any  
36 appurtenant areas which are used, or intended for use, for airport  
37 buildings or other airport facilities or right-of-way, together with  
38 all airport buildings and facilities located thereon.

39 (4) "Department" means the state department of transportation.



1 (5) "Secretary" means the state secretary of transportation.

2 (6) "State" or "this state" means the state of Washington.

3 (7) "Air navigation facility" means any facility, other than one  
4 owned or operated by the United States, used in, available for use  
5 in, or designed for use in aid of air navigation, including any  
6 structures, mechanisms, lights, beacons, markers, communicating  
7 systems, or other instrumentalities or devices used or useful as an  
8 aid, or constituting an advantage or convenience, to the safe taking-  
9 off, navigation, and landing of aircraft, or the safe and efficient  
10 operation or maintenance of an airport, and any combination of any or  
11 all of such facilities.

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

15 (9) "Airman or airwoman" means any individual who engages, as the  
16 person in command, or as pilot, mechanic, or member of the crew in  
17 the navigation of aircraft while under way, and any individual who is  
18 directly in charge of the inspection, maintenance, overhauling, or  
19 repair of aircraft engines, airframes, propellers, or appliances, and  
20 any individual who serves in the capacity of aircraft dispatcher or  
21 air-traffic control tower operator; but does not include any  
22 individual employed outside the United States, or any individual  
23 employed by a manufacturer of aircraft, aircraft engines, airframes,  
24 propellers, or appliances to perform duties as inspector or mechanic  
25 in connection therewith, or any individual performing inspection or  
26 mechanical duties in connection with aircraft owned or operated by  
27 the person.

28 (10) "Aeronautics instructor" means any individual who for hire  
29 or reward engages in giving instruction or offering to give  
30 instruction in flying or ground subjects pertaining to aeronautics,  
31 but excludes any instructor in a public school, university, or  
32 institution of higher learning duly accredited and approved for  
33 carrying on collegiate work, who instructs in flying or ground  
34 subjects pertaining to aeronautics, while in the performance of his  
35 or her duties at such school, university, or institution.

36 (11) "Air school" means any person who advertises, represents, or  
37 holds out as giving or offering to give instruction in flying or  
38 ground subjects pertaining to aeronautics whether for or without hire  
39 or reward; but excludes any public school, university, or institution

1 of higher learning duly accredited and approved for carrying on  
2 collegiate work.

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

7 (13) "Municipal" means pertaining to a municipality, and  
8 "municipality" means any county, city, town, authority, district, or  
9 other political subdivision or public corporation of this state.

10 (14) "Airport hazard" means any structure, object of natural  
11 growth, or use of land, which obstructs the airspace required for the  
12 flight of aircraft in landing or taking off at an airport or is  
13 otherwise hazardous to such landing or taking off.

14 (15) "State airway" means a route in the navigable airspace over  
15 and above the lands or waters of this state, designated by the  
16 department as a route suitable for air navigation.

17 (16) "Aviation division" means the aeronautics division of the  
18 department.

19 (17) "Commercial" means an aircraft, piloted or unpiloted, not  
20 used exclusively for hobby or recreation.

21 (18) "Unpiloted aircraft system" means an aircraft operated  
22 without the possibility of direct human intervention from within or  
23 on the aircraft and is synonymous with the term "unmanned aircraft  
24 system". An unpiloted aircraft system must meet the same criteria and  
25 standards established by the federal aviation administration for an  
26 unmanned aircraft system.

27 NEW SECTION. Sec. 5. Section 2 of this act expires July 1,  
28 2031.

29 NEW SECTION. Sec. 6. Section 3 of this act takes effect July 1,  
30 2031.

31 NEW SECTION. Sec. 7. Except for section 3 of this act, this act  
32 is necessary for the immediate preservation of the public peace,  
33 health, or safety, or support of the state government and its  
34 existing public institutions, and takes effect July 1, 2021."

**ADOPTED 04/08/2021**

1        On page 1, line 2 of the title, after "source;" strike the  
2 remainder of the title and insert "amending RCW 47.68.250, 47.68.250,  
3 and 47.68.020; adding a new section to chapter 47.68 RCW; providing  
4 effective dates; providing an expiration date; and declaring an  
5 emergency."

EFFECT: Provides that the department of transportation must report additional information to the legislature, department of commerce, and to interested aviation and aerospace stakeholders by December 1, 2022. The additional required information includes:

(1) Information on the specific activities, accomplishments, and opportunities undertaken by the unpiloted aircraft system coordinator;

(2) A statement on the justification and need for continuation of the activities of the unpiloted aircraft system coordinator; and

(3) Recommendations on any changes to the scope of the work and duties of the unpiloted aircraft system coordinator, including recommendations on the reassignment of duties of the unpiloted aircraft system coordinator to the department's aviation division and the termination of the unpiloted aircraft system coordinator position.

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