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I N   S E N A T E

January 13, 2016

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Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to registration of drones

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The vehicle and traffic law is amended by adding a new  
2 article 48-D to read as follows:

3                                    ARTICLE 48-D

4                                    REGISTRATION OF DRONES

5 SECTION 2420. REGISTRATION OF DRONES; FEES; RENEWALS.

6                    2421. PUNISHMENT FOR VIOLATION.

7     S 2420. REGISTRATION OF DRONES; FEES; RENEWALS. 1. REGISTRATION BY  
8 OWNERS. NO DRONES SHALL BE OPERATED WITHOUT FIRST BEING REGISTERED IN  
9 ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

10     EVERY OWNER OF A DRONE SHALL CAUSE TO BE FILED, BY MAIL OR OTHERWISE,  
11 IN THE OFFICE OR A BRANCH OFFICE OF THE COMMISSIONER, OR WITH AN AGENT  
12 OF THE COMMISSIONER, CONSTITUTED AS PROVIDED IN THIS CHAPTER, AN APPLI-  
13 CATION FOR REGISTRATION, ADDRESSED TO THE COMMISSIONER, AND ON A SPACE  
14 THEREON TO BE PREPARED UNDER THE DIRECTION OF AND FURNISHED BY THE  
15 COMMISSIONER FOR THAT PURPOSE, CONTAINING: (A) A BRIEF DESCRIPTION OF  
16 THE DRONE TO BE REGISTERED, INCLUDING THE NAME OF THE MANUFACTURER AND  
17 FACTORY NUMBER OF SUCH DRONE; (B) THE NAME, RESIDENCE, INCLUDING COUNTY  
18 AND BUSINESS ADDRESS OF THE OWNER OF SUCH DRONE.

19     2. REGISTRATION RECORD. UPON THE RECEIPT OF A SUFFICIENT APPLICATION  
20 FOR REGISTRATION, AS PROVIDED IN THIS ARTICLE, THE COMMISSIONER OR AGENT  
21 RECEIVING IT SHALL REGISTER SUCH DRONE, AND MAINTAIN A RECORD OF THE  
22 REGISTRATION OF SUCH DRONE UNDER THE DISTINCTIVE NUMBER ASSIGNED TO SUCH  
23 DRONE, AS PROVIDED IN THIS SECTION, AND THE INFORMATION IN SUCH RECORD  
24 MAY BE OBTAINED UPON PAYMENT OF THE FEES SPECIFIED IN SECTION TWO  
25 HUNDRED TWO OF THIS CHAPTER.

26     3. CERTIFICATE OF REGISTRATION. UPON THE FILING OF SUCH APPLICATION  
27 AND THE PAYMENT OF THE FEE HEREINAFTER PROVIDED, THE COMMISSIONER SHALL  
28 ASSIGN TO SUCH DRONE A DISTINCTIVE NUMBER AND, WITHOUT EXPENSE TO THE

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 APPLICANT, ISSUE AND DELIVER IN SUCH MANNER AS THE COMMISSIONER MAY  
2 SELECT TO THE OWNER A CERTIFICATE OF REGISTRATION, IN SUCH FORM AS THE  
3 COMMISSIONER MAY PRESCRIBE. IN THE EVENT OF THE LOSS, MUTILATION OR  
4 DESTRUCTION OF ANY CERTIFICATE OF REGISTRATION, THE OWNER OF A REGIS-  
5 TERED DRONE MAY FILE SUCH STATEMENT AND PROOF OF THE FACTS AS THE  
6 COMMISSIONER SHALL REQUIRE, WITH A FEE OF THREE DOLLARS, IN THE OFFICE  
7 OF THE COMMISSIONER, OR, UNLESS AND UNTIL THE COMMISSIONER SHALL OTHER-  
8 WISE DIRECT, IN THE OFFICE OF THE AGENT WHO ISSUED THE CERTIFICATE AND  
9 THE COMMISSIONER OR HIS AGENT, AS THE CASE MAY BE, SHALL ISSUE A DUPLI-  
10 CATE OR SUBSTITUTE.

11 4. TIMES FOR REGISTRATION AND REREGISTRATION. REGISTRATION APPLIED FOR  
12 AND CERTIFICATES ISSUED UNDER ANY APPLICATION SHALL EXPIRE ON A DATE  
13 DETERMINED BY THE COMMISSIONER. REGISTRATION SHALL BE RENEWED PERIOD-  
14 ICALLY IN THE SAME MANNER AND UPON PAYMENT OF THE SAME ANNUAL FEE AS  
15 PROVIDED IN THIS SECTION FOR REGISTRATION, TO TAKE EFFECT AND TO EXPIRE  
16 ON DATES TO BE DETERMINED BY THE COMMISSIONER. PROVIDED, HOWEVER, THAT  
17 THE COMMISSIONER SHALL HAVE AUTHORITY TO FIX THE LENGTH OF TIME FOR  
18 WHICH ANY SUCH DRONE WHICH IS REGISTERED WITHOUT FEE SHALL BE REGIS-  
19 TERED. PROVIDED FURTHER, HOWEVER, THAT RENEWAL OF A REGISTRATION MAY BE  
20 USED PRECEDING THE EXPIRATION DATE OF SUCH REGISTRATION INCLUDING SUCH  
21 EXPIRATION DATE.

22 5. REGISTRATION FEES. A. THE ANNUAL FEE FOR REGISTRATION OR REREGIS-  
23 TRATION OF A DRONE SHALL BE FIVE DOLLARS.

24 B. WHERE A REGISTRATION IS MADE FOR A PERIOD OF MORE OR LESS THAN ONE  
25 CALENDAR YEAR, THE REGISTRATION FEE SHALL NOT BE PRORATED. THE  
26 PROVISIONS HEREOF WITH RESPECT TO THE PAYMENT OF REGISTRATION FEES SHALL  
27 NOT APPLY TO DRONES OWNED OR CONTROLLED BY THE STATE, A CITY, COUNTY,  
28 VILLAGE OR TOWN OR ANY OF THE DEPARTMENTS THEREOF, OR ANY SCHOOL  
29 DISTRICT OR COUNTY EXTENSION SERVICE ASSOCIATION, BUT IN OTHER RESPECTS  
30 SHALL BE APPLICABLE.

31 6. "DRONE" AS USED IN THIS SECTION SHALL MEAN AN UNMANNED AIRCRAFT  
32 WHICH IS OPERATED REMOTELY WITHOUT THE POSSIBILITY OF DIRECT HUMAN  
33 INTERVENTION FROM WITHIN OR ON THE AIRCRAFT.

34 S 2421. PUNISHMENT FOR VIOLATION. THE VIOLATION OF ANY OF THE  
35 PROVISIONS OF SECTION TWENTY-FOUR HUNDRED TWENTY OF THIS ARTICLE SHALL  
36 BE PUNISHABLE BY A FINE OF NOT LESS THAN TWENTY-FIVE NOR MORE THAN ONE  
37 HUNDRED DOLLARS EXCEPT, IF THE VIOLATION CONSISTS OF FAILURE TO RENEW A  
38 REGISTRATION WHICH WAS VALID WITHIN SIXTY DAYS, THE FINE SHALL BE NOT  
39 LESS THAN TEN DOLLARS.

40 S 2. This act shall take effect on the first of January next succeed-  
41 ing the date on which it shall have become a law.