S T A T E O F N E W Y O R K

6455

I N S E N A T E

January 13, 2016

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:

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

ARTICLE 48-D

REGISTRATION OF DRONES

SECTION 2420. REGISTRATION OF DRONES; FEES; RENEWALS.

2421. PUNISHMENT FOR VIOLATION.

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

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

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

3. CERTIFICATE OF REGISTRATION. UPON THE FILING OF SUCH APPLICATION AND THE PAYMENT OF THE FEE HEREINAFTER PROVIDED, THE COMMISSIONER SHALL 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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APPLICANT, ISSUE AND DELIVER IN SUCH MANNER AS THE COMMISSIONER MAY SELECT TO THE OWNER A CERTIFICATE OF REGISTRATION, IN SUCH FORM AS THE COMMISSIONER MAY PRESCRIBE. IN THE EVENT OF THE LOSS, MUTILATION OR DESTRUCTION OF ANY CERTIFICATE OF REGISTRATION, THE OWNER OF A REGISTERED DRONE MAY FILE SUCH STATEMENT AND PROOF OF THE FACTS AS THE COMMISSIONER SHALL REQUIRE, WITH A FEE OF THREE DOLLARS, IN THE OFFICE OF THE COMMISSIONER, OR, UNLESS AND UNTIL THE COMMISSIONER SHALL OTHERWISE DIRECT, IN THE OFFICE OF THE AGENT WHO ISSUED THE CERTIFICATE AND THE COMMISSIONER OR HIS AGENT, AS THE CASE MAY BE, SHALL ISSUE A DUPLICATE OR SUBSTITUTE.

4. TIMES FOR REGISTRATION AND REREGISTRATION. REGISTRATION APPLIED FOR AND CERTIFICATES ISSUED UNDER ANY APPLICATION SHALL EXPIRE ON A DATE DETERMINED BY THE COMMISSIONER. REGISTRATION SHALL BE RENEWED PERIODICALLY IN THE SAME MANNER AND UPON PAYMENT OF THE SAME ANNUAL FEE AS PROVIDED IN THIS SECTION FOR REGISTRATION, TO TAKE EFFECT AND TO EXPIRE ON DATES TO BE DETERMINED BY THE COMMISSIONER. PROVIDED, HOWEVER, THAT THE COMMISSIONER SHALL HAVE AUTHORITY TO FIX THE LENGTH OF TIME FOR WHICH ANY SUCH DRONE WHICH IS REGISTERED WITHOUT FEE SHALL BE REGISTERED. PROVIDED FURTHER, HOWEVER, THAT RENEWAL OF A REGISTRATION MAY BE USED PRECEDING THE EXPIRATION DATE OF SUCH REGISTRATION INCLUDING SUCH EXPIRATION DATE.

5. REGISTRATION FEES. A. THE ANNUAL FEE FOR REGISTRATION OR REREGISTRATION OF A DRONE SHALL BE FIVE DOLLARS.

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

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

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

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.