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

6456

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 Codes

AN ACT to amend the penal law, in relation to prohibiting the unlawful use of a drone

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

Section 1. The penal law is amended by adding a new section 240.80 to read as follows:

S 240.80 UNLAWFUL USE OF A DRONE.

1. A PERSON IS GUILTY OF UNLAWFUL USE OF A DRONE WHEN HE OR SHE OPERATES SUCH DRONE IN A MANNER INCONSISTENT WITH HOBBY USE.

2. AS USED IN THIS SECTION:

(A) "DRONE" MEANS AN UNMANNED AIRCRAFT WHICH IS OPERATED REMOTELY WITHOUT THE POSSIBILITY OF DIRECT HUMAN INTERVENTION FROM WITHIN OR ON THE AIRCRAFT.

(B) "HOBBY USE" MEANS THE USE OF A DRONE:

(I) DURING DAYTIME HOURS; AND

(II) WITHIN PRIVATELY OWNED AIR SPACE WHOSE OWNER HAS AUTHORIZED SUCH USE; OR WITHIN PUBLICLY OWNED AIR SPACE AS AUTHORIZED BY LOCAL ORDINANCE, STATE AND/OR FEDERAL LAW.

UNLAWFUL USE OF A DRONE IS A CLASS A MISDEMEANOR.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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