STATE OF NEW YORK

4256

2023-2024 Regular Sessions

IN ASSEMBLY

February 14, 2023

Introduced by M. of A. ZEBROWSKI, GLICK -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the unlawful use or operation of an unmanned aircraft

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 240.00 of the penal law is amended by adding a new subdivision 8 to read as follows:

8. "Unmanned aircraft" means a device used for flight in the air which is operated remotely without the possibility of direct human intervention from within or on the aircraft.

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

§ 240.80 Unlawful use or operation of an unmanned aircraft.

A person is guilty of unlawful use or operation of an unmanned aircraft when during the personal use or operation of such aircraft, except as otherwise provided by federal law, he or she intentionally operates an unmanned aircraft:

1. in violation of federal laws or regulations of the United States department of transportation and the federal aviation administration (FAA) or successors thereof; or

2. in a reckless manner so as to endanger the life or safety of another person or property of a person.

Unlawful use or operation of an unmanned aircraft is a violation.

§ 3. This act shall take effect on the first of January next succeeding the date on which 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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