§ 280.10 Applicability and restrictions.

The provisions of this article shall not apply to the following persons or entities:

1. A toy drone operated solely for recreation, unless such toy drone is operated in a manner that would recklessly create a substantial risk of physical injury to another person or substantial risk of damage to property.

2. A recreational drone operated solely for hobby or recreational purposes and operates in compliance with all applicable federal laws, rules, regulations, authorizations, waivers, or exemptions and all other applicable state and local laws, rules, and regulations, unless such recreational drone is operated in a manner that recklessly creates a substantial risk of physical injury to another person or substantial risk of damage to property.

3. A drone operated for commercial, educational, agricultural, journalistic, infrastructure, or other lawful purposes in compliance with all applicable federal laws, rules, regulations, authorizations, waivers, or exemptions and all other applicable state and local laws, rules and regulations, unless such drone is operated in a manner that recklessly creates a substantial risk of physical injury to another person or substantial risk of damage to property.

4. A governmental employee, or a person acting on behalf of a state or local government entity, provided that such person or employee is acting in a manner consistent with such person's governmental duties.