

RÉSUMÉ DIGEST

ACT 238 (SB 69)

2017 Regular Session

Carter

New law provides that, except as otherwise provided by prior law, the state has exclusive jurisdiction to regulate all unmanned aircraft systems and all unmanned aerial systems. Further provides that state law supersedes and preempts any rule, regulation, code, or ordinance of any political subdivision or other unit of local government.

Defines the following:

- (1) "Unmanned aerial system" means an unmanned aircraft and all associated support equipment, control station, data links, telemetry, communications, and navigation equipment necessary to operate the unmanned aircraft. Such system may include drones, remote-controlled aircraft, unmanned aircraft, or any other such aircraft that is controlled autonomously by computer or remote control from the ground.
- (2) "Unmanned aircraft system" means an unmanned, powered aircraft that does not carry a human operator, may be autonomous or remotely piloted or operated, and may be expendable or recoverable. "Unmanned aircraft system" does not include any of the following:
 - (a) A satellite orbiting the earth.
 - (b) An unmanned aircraft system used by the federal government or a person who is acting pursuant to contract with the federal government to conduct surveillance of specific activities.
 - (c) An unmanned aircraft system used by the state government or a person who is acting pursuant to a contract with the state government to conduct surveillance of specific activities.
 - (d) An unmanned aircraft system used by a local government law enforcement agency or fire department.
 - (e) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of any business that is regulated by the La. Public Service Commission, while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property located on the immovable property belonging to such business.
 - (f) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of any business that is regulated by a local franchising authority, while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property located on the immovable property belonging to such business.
 - (g) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of any business that is regulated by the Federal Communications Commission under the Cable Television Consumer Protection and Competition Act of 1992 or under Part 73 of Title 47 of the U.S. Code of Federal Regulations, while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property located on the immovable property belonging to such business.
 - (h) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of a municipal or public utility while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property located on the immovable property belonging to such municipal or public utility.
 - (i) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of any business that is regulated by the Federal Railroad Administration, while acting in the course and scope of his employment or

agency relating to the operation, repair, or maintenance of a facility, equipment, servitude, or any property located on the immovable property belonging to such business.

Provides that if federal law or regulation preempts any provision of new law, then that provision is null.

Effective upon signature of the governor (June 14, 2017).

(Adds R.S. 2:2)