
DIGEST

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HB 587 Reengrossed

2021 Regular Session

Robert Owen

Abstract: Modifies state law regulating of unmanned aerial systems and unmanned aircraft systems and establishes a new Louisiana Drone Advisory Committee.

Present law provides for the regulation of unmanned aerial systems and unmanned aircraft systems.

Proposed law retains present law but specifies that nothing in proposed law can supercede the exclusive sovereignty of airspace of the U.S.

Proposed law specifies that flight of an unmanned aerial system over the lands and waters of Louisiana is lawful unless expressly prohibited by law.

Proposed law specifies that the Louisiana Drone Advisory Committee is created within the Dept. of Transportation and Development (DOTD).

Proposed law requires the secretary of the DOTD to create the Louisiana Drone Advisory Committee; form a committee of 13 diverse members involved with deployment and advancement of drone technologies; and requires the committee to provide recommendations to the secretary of the DOTD as well as both the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways, and Public Works on issues related to the adoption of drone technologies.

Proposed law specifies that the members will be appointed by the following groups or individuals:

- (1) One member selected by the governor.
- (2) One member selected by the chairman of the Senate Committee on Transportation, Highways, and Public Works.
- (3) One member selected by the chairman of the House Committee on Transportation, Highways and Public Works.
- (4) One member selected by the secretary of the Dept. of Transportation and Development.
- (5) One member from the La. Farm Bureau Federation appointed by the president of the La. Farm Bureau Federation.

- (6) One member from the DRONERESPONDERS Public Safety Alliance appointed by the director of the DRONERESPONDERS Public Safety Alliance.
- (7) One member from the La. Society of Professional Surveyors appointed by the president of the La. Society of Professional Surveyors.
- (8) One member from the La. Mid-Continent Oil and Gas Association appointed by the board of directors of the La. Mid-Continent Oil and Gas Association.
- (9) One member selected by the president of the La. Senate.
- (10) One member selected by the speaker of the La. House of Representatives.
- (11) One member from the Pelican Chapter of the Association of Unmanned Vehicle Systems International appointed by the chairman of the Pelican Chapter of the Association of Unmanned Vehicle Systems International.
- (12) One member from the Fletcher Technical Community College appointed by the chancellor of the Fletcher Technical Community College.
- (13) One member from the Nicholls State University appointed by the president of Nicholls State University.

Proposed law requires the Louisiana Drone Advisory Committee to meet at least four times a year starting in Aug. of 2021; appointments must be made no later than July 31, 2021; and must end at the completion of the 2022 Regular Session of the La. Legislature. It also requires replacement of a member resigning from the committee.

Proposed law requires the members of the La. Drone Advisory Committee to serve in an unpaid capacity. Specifies that otherwise the functions of the committee shall be funded by the DOTD.

Proposed law authorizes the DOTD to enter into any contract, execute any document or perform any act in order to carry out the provision of proposed law.

Proposed law requires the La. Drone Advisory Committee to issue a report on the state of the unmanned aircraft system and unmanned aerial system industry in La. at least 30 days prior to the start of each legislative session. Also, specifies the type of information to be included in the study, including an examination of the potential impact of drone highways for the first report.

Proposed law requires the La. Drone Advisory Committee to appoint one member to serve as a liaison with the Federal Aviation Administration, by majority vote of a quorum of members present at a meeting, to address any issues with federal, state, and local laws governing unmanned aircraft systems and unmanned aerial systems.

(Amends R.S. 2:2(A)(2); Adds R.S. 2:2(A)(3) and 2.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make technical changes.
2. Add a provision that nothing in present and proposed law can preempt the exclusive sovereignty of airspace of the United States. Further, any contradictions by interpretation or application of any provision to regulate unmanned aircraft systems and all unmanned aerial systems shall be null.
3. Delete a provision of proposed law that specified that flight by an unmanned aerial system over the lands and waters of La. is lawful, unless at such a low altitude that causes interference with existing use and unlawful without consent, except in the case of a forced landing.
4. Delete a provision of proposed law that provided that any political subdivision may lease space for private purposes pending the approval of the governing body.
5. Add a provision that flight by an unmanned aerial system over the lands and waters of La. is lawful unless expressly prohibited by law.
6. Add the following members to the La. Drone Advisory Committee:
 - (a) One member selected by the president of the La. Senate.
 - (b) One member selected by the speaker of the La. House of Representatives.
 - (c) One member from the La. Flood Protection Authority appointed by the president of the La. Flood Protection Authority.
 - (d) One member from the Houma Terrebonne Airport Commission appointed by the chairman of the Houma Terrebonne Airport Commission.
 - (e) One member from the Pelican Chapter of the Association of Unmanned Vehicle Systems International appointed by the chairman of the Pelican Chapter of the Association of Unmanned Vehicle Systems International.
 - (f) One member from the Fletcher Technical Community College appointed by the chancellor of the Fletcher Technical Community College.
7. Add a provision that specifies that the member of the committee serving as a liaison to the Federal Aviation Administration is tasked with addressing any issues with federal,

state, and local laws governing unmanned aircraft systems and unmanned aerial systems.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Move but otherwise retain a provision of proposed law that flight by an unmanned aerial system over the lands and waters of La. is lawful unless expressly prohibited by law.
3. Add the one member from the Nicholls State University appointed by the president of Nicholls State University to the La. Drone Advisory Committee.
4. Delete the following members to the La. Drone Advisory Committee:
 - (a) One member selected by the chairman of the House Committee on Municipal, Parochial and Cultural Affairs.
 - (b) One member from the Senate Committee on Local and Municipal Affairs.
 - (c) One member selected by the Dept. of Natural Resources.
 - (d) One member from the Dept. of Agriculture and Forestry appointed by the commissioner of the Dept. of Agriculture and Forestry.
 - (e) One member from Coastal Protection and Restoration Authority appointed by the executive director of the Coastal Protection and Restoration Authority.
 - (f) One member from the La. Oil and Gas Association appointed by the board of directors of the La. Oil and Gas Association.
 - (g) One member from La. Airport Managers and Associates appointed by the president of the La. Airport Managers and Associates.
 - (h) One member from the La. Flood Protection Authority appointed by the president of the La. Flood Protection Authority.
 - (i) One member from the Houma Terrebonne Airport Commission appointed by the chairman of the Houma Terrebonne Airport Commission.
5. Remove a provision of proposed law that include an exception for a per diem as funded by the state for any easement granted for unmanned aircraft system rights of way.