

HOUSE BILL REPORT

SHB 2836

As Passed House:
February 19, 2020

Title: An act relating to establishing an unpiloted aircraft system state coordinator.

Brief Description: Establishing an unpiloted aircraft system state coordinator.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Lovick, Boehnke, Valdez, Gregerson, Ortiz-Self, Riccelli, Shewmake, Kloba, Mead, Doglio, Entenman, Tarleton, Hudgins, Ryu, Pettigrew, Thai, Morgan, Santos, Lekanoff, Slatter, Orwall, Davis, Sells, Goodman, Appleton, J. Johnson and Chopp).

Brief History:

Committee Activity:

Transportation: 2/10/20, 2/11/20 [DPS].

Floor Activity:

Passed House: 2/19/20, 98-0.

Brief Summary of Substitute Bill

- Establishes the Unpiloted Aircraft System State Coordinator in the Aviation Division of the Washington State Department of Transportation.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 30 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Young, Assistant Ranking Minority Member; Boehnke, Chambers, Chapman, Doglio, Duerr, Dufault, Entenman, Eslick, Goehner, Gregerson, Irwin, Kloba, Lovick, McCaslin, Mead, Orcutt, Ortiz-Self, Paul, Ramos, Riccelli, Shewmake, Van Werven and Volz.

Staff: Christine Thomas (786-7142).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Unmanned Aircraft Systems.

Unmanned aircraft systems (drones) are aircraft without a human pilot on board. The flight is controlled either autonomously by computers, or under remote control by a pilot. Washington has no laws that specifically regulate drones.

The Federal Aviation Administration (FAA) has broad authority to regulate the use of airspace. In 2016 the FAA finalized the first rules governing the operation and certification of small civil unmanned aircraft under 55 pounds.

To fly drones for work or business, owners must learn the Small Unmanned Aircraft System Rule (Small UAS Rules); become an FAA-certified drone pilot; and register their drone with the FAA.

Government agencies can operate drones under two options: (a) fly under the Small UAS Rules that allow operation of drones under 55 pounds at or below 400 feet above ground level for visual line-of-sight operations only; or (b) fly under federal requirements for public aircraft to operate with a Certificate of Waiver or Authorization to be able to self-certify drones and operators for flights performing governmental functions.

In 2018 the FAA updated the rules for drones flown for recreational purposes, which are exempt from federal regulation if they meet certain criteria and are registered with the FAA.

Educators who fly drones for instructional purposes can operate drones under two options: (a) fly under the Small UAS Rules; or (b) fly as a recreational flier.

Aviation Division.

The Aviation Division (division) within the Washington State Department of Transportation (WSDOT) is responsible for planning the aviation system and providing financial assistance to airports in Washington. Public-use airports are operated by cities, counties, ports, and private parties. The WSDOT manages 16 state public-use airports. The division registers aircraft every January and the aircraft registration fees support the WSDOT Aviation's airport preservation and improvement programs, education outreach, and air search and rescue operations. The division also coordinates UAS activities within the WSDOT.

Summary of Substitute Bill:

An "unpiloted aircraft system" (UAS) is defined in statute and must meet the same criteria and standards for an "unmanned aircraft system" established by the FAA. The UAS State Coordinator is established in the Aviation Division of the WSDOT. The Director of the Aviation Division or the Director's designee is appointed as the UAS State Coordinator. The coordinator's duties include: (a) assisting with UAS training, certification, and continuing education for state agencies; (b) coordinating with local governments on state and federal UAS policies and laws; (c) acting as a state-level coordinator in times of emergency; (d) coordinating with the FAA and state agencies on UAS safety and accident trends; and (e) other duties as they relate to UAS in the state.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on July 1, 2021.

Staff Summary of Public Testimony:

(In support) In times of emergency, such as the terrible mudslide in Oso in 2014, drones fly above the disaster site. As more and more drones are coming online, regulations should be implemented. Having a coordinator acting as a broker for unmanned systems will act as a connector in providing statewide resources. There is a lack of cohesiveness on who is doing what in regards to drone use. Having a state coordinator would provide a one-stop shop for resources for new businesses to get off the ground. If Washington is to catch up with other states that have embraced drone businesses, a centralized coordinator is imperative and would be invaluable and economic activity would increase.

(Opposed) None.

(Other) As of January 2020, 1.5 million drones have registered with the FAA nationally. Washington drone hobbyists and commercial drone pilots have registered about 43,000 drones. Drone registrations are expected to triple by 2023. A state UAS coordinator would assist with traffic management, make input in setting national policy, bring public-private partnerships to the state, and facilitate policy discussion. The bill is not designed to maintain authority over any other state or local regulations.

Persons Testifying: (In support) Representative Lovick, prime sponsor; Mary Kaye Bredeson, Center of Excellence for Aerospace; and Bob Griffiths, AeroTEC, Inc.

(Other) David Fleckenstein, Washington State Department of Transportation Aviation Division.

Persons Signed In To Testify But Not Testifying: None.