
Transportation Committee

HB 1379

Brief Description: Establishing an unpiloted aircraft system state coordinator and program funding source.

Sponsors: Representatives Lovick, Boehnke, Sutherland, Ryu and Dent.

Brief Summary of Bill

- Establishes the Unpiloted Aircraft System State Coordinator in the Aviation Division of the Washington State Department of Transportation.
- Requires state registration of commercial unpiloted aircraft systems.
- Removes registration exemption from certain large private airplanes.
- Exempts certain nonresidential aircraft and recreational drones from registering in Washington.

Hearing Date: 2/16/21

Staff: Christine Thomas (786-7142).

Background:

Unmanned Aircraft Systems.

Unmanned aircraft systems, also known as 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.

Federal Aircraft Registration.

The Federal Aviation Administration (FAA) has broad authority to regulate the use of airspace.

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

Aircraft must be registered with the FAA. The registration fee is \$5 for three years. Since 2015 the FAA has been finalizing several rules governing the operation and certification of small civil unmanned aircraft systems under 55 pounds.

To fly drones under 55 pounds 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. In 2018 the FAA updated the rules for drones flown for recreational purposes only, which are exempt from federal regulation if they meet certain criteria and are registered with the FAA. Government agencies and educators can also operate drones under certain conditions. In 2020 more than 14,000 non-hobbyist Small UAS's with a Washington address were registered with the FAA.

Aircraft Registration in Washington.

Aircraft must be registered with the Washington State Department of Transportation (WSDOT) in January of each calendar year in which the aircraft is operated or based within Washington. The state registration fee is \$15 and is deposited into the Aeronautics Account. The Aeronautics Account supports the WSDOT Aviation Division's airport preservation and improvement programs, education outreach, and air search and rescue operations. Aircraft that are specifically exempt from registration include:

- most commercial aircraft
- government aircraft
- foreign aircraft
- certain non-resident owned aircraft, and
- large private airplanes in Washington for repair, alteration, reconstruction, or storage for more than a year.

Unmanned aircraft systems are not required to register in Washington.

Aviation Division.

The Aviation Division (division) within the WSDOT is responsible for registering aircraft, planning Washington's aviation system, and providing financial assistance to public-use 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 also coordinates unpiloted aircraft system (UAS) activities within the WSDOT.

Airport Governance.

The Pullman-Moscow Regional Airport is operated under a joint agreement with the City of Pullman, Washington, and the City of Moscow, Idaho. The Dalles Municipal Airport is owned by the City of The Dalles, Oregon, and Klickitat County, Washington.

Summary of Bill:

Unpiloted Aircraft System Coordinator.

An "unpiloted aircraft system" 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:

- assisting with UAS training and continuing education for state agencies;
- coordinating with local governments on state and federal UAS policies and laws;
- acting as a state-level coordinator in times of emergency;
- coordinating with the FAA and state agencies on UAS trends;
- assisting with the advancement of UAS across the state in coordination with the Department of Commerce; and
- other duties as they relate to UAS in the state.

Registration of Commercial Drones.

Commercial unpiloted aircraft systems must be registered with WSDOT and pay a \$15 annual fee. In the aeronautics chapter of the Revised Code of Washington, "commercial" means an aircraft, piloted or unpiloted, not used exclusively for hobby or recreation. The WSDOT, in collaboration with the Department of Commerce, and Department of Revenue, and other industry representatives, must review the fee schedule based on the number of drones registered under any single entity. The WSDOT must make recommendations and report to the transportation committees of the Legislature by December 1, 2022.

Registration Exemption.

Nonresident owners of aircraft kept at certain Washington airports are exempt from paying the Washington registration fee, if they provide proof of payment that all taxes, licenses, and registration fees required in their home state have been paid. This registration exemption applies to aircraft based only at an airport jointly owned or operated by a municipal corporation or other governmental entity within Washington and another state. Also exempted from the registration fee are UASs used exclusively for hobby or recreation.

Large private airplanes in Washington for repair, alteration, reconstruction, or storage for more than a year are no longer exempt from registering in Washington.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2021.