HB 1292 - AS INTRODUCED

2022 SESSION

22-2644
04/05

HOUSE BILL ***1292***

AN ACT permitting the use of drones or unmanned aerial vehicles on the statewide trail system.

SPONSORS: Rep. Ammon, Hills. 40; Rep. Pearl, Merr. 26; Rep. Bordes, Belk. 3; Rep. Berezhny, Graf. 9

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill permits and regulates the use of small unmanned aircraft on the statewide trail system.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT permitting the use of drones or unmanned aerial vehicles on the statewide trail system.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Subdivision; Small Unmanned Aircraft on Statewide Trail System. Amend RSA 216-F by inserting after section 7 the following new subdivision:

Small Unmanned Aircraft on Statewide Trail System

216-F:8 Definitions. In this subdivision:

I. "Commissioner" means the commissioner of the department of natural and cultural resources, or designee.

II. "Small unmanned aircraft" means an unmanned aircraft weighing less than 55 pounds on takeoff, including everything that is on board or otherwise attached to the aircraft.

III. "Small unmanned aircraft system" (small UAS) means a small unmanned aircraft and its associated elements, including communication links and the components that control the small unmanned aircraft, that are required for the safe and efficient operation of the small unmanned aircraft in the national airspace system.

IV. "Unmanned aircraft" means an aircraft operated without the possibility of direct human intervention from within or on the aircraft.

216-F:9 Small UAS Launches by Pilots With License. A person who possesses a remote pilot certificate with a small UAS rating issued by the Federal Aviation Administration pursuant to 14 C.F.R. Part 107 shall be permitted to launch a small unmanned aircraft on the statewide trail system as provided in this subdivision.

216-F:10 Small UAS Launches by Persons Without License. A person who does not possess a remote pilot certificate with a small UAS rating issued by the Federal Aviation Administration pursuant to 14 C.F.R. Part 107, shall, prior to launch, notify the commissioner, either verbally or in writing, at least 30 minutes but no more than 24 hours before launch on the statewide trail system. Such person shall provide their approximate launch location to the commissioner. Any person who fails to provide the notification required under this section may be fined not more than $50.

216-F:11 Denial of Permission to Launch.

I. The commissioner may deny permission to launch to a person who does not possess a remote pilot certificate with a small UAS rating issued by the Federal Aviation Administration pursuant to 14 C.F.R. Part 107 for the following reasons:

(a) Inclement weather.

(b) Crowds of 12 or more people within a 2,000 square-foot area.

(c) Forest fires.

(d) Medical emergency operations.

II. Any person who violates this section may be fined not more than $300.

216-F:12 Liability for Damage.

I. A person who launches a small unmanned aircraft under this subdivision shall be fully liable for injury or property damage caused by their small unmanned aircraft.

II. A person shall be responsible for the retrieval of their small unmanned aircraft which has landed along the statewide trail system. A person who fails to retrieve a landed small unmanned aircraft may be fined not more than $100.

III. Small unmanned aircraft launched from the statewide trail system shall be marked with either the owner's contact information or a Federal Aviation Administration registration number. A person who fails to properly label a small unmanned aircraft may be fined not more than $50.

IV. No person shall use a small unmanned aircraft system with the intent to conduct video surveillance of private citizens on the statewide trail system without prior written consent of the persons being surveilled.

2 Effective Date. This act shall take effect January 1, 2023.