SENATE BILL NO. 69

BY SENATORS CARTER AND THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1	AN ACT
2	To enact R.S. 2:2, relative to unmanned aircraft; to provide for definitions; to provide
3	exclusive jurisdiction to the state in the regulation of such systems; to preempt local
4	ordinances, rules, regulations, and codes; to provide for federal preemption; and to
5	provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 2:2 is hereby enacted to read as follows:
8	§2. Regulation of unmanned aerial systems and unmanned aircraft systems;
9	preemption
10	A. Subject to the provisions of Subsection C of this Section and except
11	as otherwise provided by law:
12	(1) The state shall have exclusive jurisdiction to regulate all unmanned
13	aircraft systems and all unmanned aerial systems.
14	(2) State law shall supersede and preempt any rule, regulation, code, or
15	ordinance of any political subdivision or other unit of local government.
16	B. As used in this Section, the following phrases shall have the following
17	meanings:
18	(1) "Unmanned aerial system" means an unmanned aircraft and all
19	associated support equipment, control station, data links, telemetry,
20	communications, and navigation equipment necessary to operate the unmanned
21	aircraft. The system may include drones, remote-controlled aircraft, unmanned
22	aircraft, or any other such aircraft that is controlled autonomously by computer
23	or remote control from the ground.
24	(2) "Unmanned aircraft system" means an unmanned, powered aircraft

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1	that does not carry a human operator, may be autonomous or remotely piloted
2	or operated, and may be expendable or recoverable. "Unmanned aircraft
3	system" does not include any of the following:
4	(a) A satellite orbiting the earth.
5	(b) An unmanned aircraft system used by the federal government or a
6	person who is acting pursuant to contract with the federal government to
7	conduct surveillance of specific activities.
8	(c) An unmanned aircraft system used by the state government or a
9	person who is acting pursuant to a contract with the state government to
10	conduct surveillance of specific activities.
11	(d) An unmanned aircraft system used by a local government law
12	enforcement agency or fire department.
13	(e) An unmanned aircraft system used by a person, affiliate, employee,
14	agent, or contractor of any business that is regulated by the Louisiana Public
15	Service Commission, while acting in the course and scope of his employment or
16	agency relating to the operation, repair, or maintenance of a facility, servitude,
17	or any property located on the immovable property belonging to such business.
18	(f) An unmanned aircraft system used by a person, affiliate, employee,
19	agent, or contractor of any business that is regulated by a local franchising
20	authority, while acting in the course and scope of his employment or agency
21	relating to the operation, repair, or maintenance of a facility, servitude, or any
22	property located on the immovable property belonging to such business.
23	(g) An unmanned aircraft system used by a person, affiliate, employee,
24	agent, or contractor of any business that is regulated by the Federal
25	Communications Commission under the Cable Television Consumer Protection
26	and Competition Act of 1992 or under Part 73 of Title 47 of the United States
27	Code of Federal Regulations, while acting in the course and scope of his
28	employment or agency relating to the operation, repair, or maintenance of a
29	facility, servitude, or any property located on the immovable property
30	belonging to such business.

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1	(h) An unmanned aircraft system used by a person, affiliate, employee,
2	agent, or contractor of a municipal or public utility while acting in the course
3	and scope of his employment or agency relating to the operation, repair, or
4	maintenance of a facility, servitude, or any property located on the immovable
5	property belonging to such municipal or public utility.
6	(i) An unmanned aircraft system used by a person, affiliate, employee,
7	agent, or contractor of any business that is regulated by the Federal Railroad
8	Administration, while acting in the course and scope of his employment or
9	agency relating to the operation, repair, or maintenance of a facility, equipment,
10	servitude, or any property located on the immovable property belonging to such
11	business.
12	C. If federal law or regulation preempts any provision of this Section,
13	that provision of this Section shall be null.
14	Section 2. This Act shall become effective upon signature by the governor or, if not
15	signed by the governor, upon expiration of the time for bills to become law without signature
16	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
17	vetoed by the governor and subsequently approved by the legislature, this Act shall become
18	effective on the day following such approval.
	PRESIDENT OF THE SENATE
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	GOVERNOR OF THE STATE OF LOUISIANA
	APPROVED: