

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

817Y0334

HOUSE TRANSPORTATION ENGROSSED NO. **SB 80** - 2/28/2017

Introduced by: Senators Rusch, Bolin, Greenfield (Brock), Haverly, Heinert, Kennedy, Maher, Nesiba, Novstrup, Otten (Ernie), Soholt, Solano, White, Wiik, and Youngberg and Representatives Tieszen, Bartling, Haggar, Hawley, Johns, Lesmeister, Lust, McCleerey, Rasmussen, Ring, Willadsen, and Zikmund

1 FOR AN ACT ENTITLED, An Act to regulate the use of drones under certain conditions and
2 to provide a penalty therefor.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That the code be amended by adding a NEW SECTION to read:

5 For purposes of this Act, the term, drone, means a powered, aerial vehicle that does not carry
6 a human operator, uses aerodynamic forces to provide vehicle lift, and can fly autonomously or
7 be piloted remotely. The vehicle may be expendable or recoverable.

8 Section 2. That the code be amended by adding a NEW SECTION to read:

9 Any operation of a drone in the state shall comply with all applicable federal aviation
10 administration requirements. Any drone operating under the authority of the Armed Forces of
11 the United States, including the National Guard, is exempt from this Act.

12 Section 3. That the code be amended by adding a NEW SECTION to read:

13 No person may operate a drone over the grounds of a prison, correctional facility, jail,



1 juvenile detention facility, or any military facility unless expressly authorized by the
2 administrator thereof. A violation of this section is a Class 1 misdemeanor.

3 Section 4. That the code be amended by adding a NEW SECTION to read:

4 Any person who uses a drone to deliver contraband or controlled substances to a state prison
5 or other correctional facility is guilty of a Class 6 felony in addition to the penalty for the
6 principal offense.