

Stump
S.L.C.

a

AMENDMENT NO. _____ Calendar No. _____

Purpose: To impose criminal penalties for the unsafe operation of unmanned aircraft.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

Thune
for **AMENDMENT N^o 3623**

By *Whitehouse*

To: *Amor No 3464*

4

Page(s)

GPO: 2014 91-623 (mac)

to permanently
and for other
and
rinted

WHITEHOUSE
(for himself and Mr. INHOFE) to the amendment (No. 3464) proposed by Mr. THUNE (for himself and Mr. NELSON)

Viz:

1 At the end of subtitle A of title II, add the following:

2 **PART IV—OPERATOR SAFETY**

3 **SEC. 2161. SHORT TITLE.**

4 This part may be cited as the “Drone Operator Safe-
5 ty Act”.

6 **SEC. 2162. FINDINGS; SENSE OF CONGRESS.**

7 (a) FINDING.—Congress finds that educating opera-
8 tors of unmanned aircraft about the laws and regulations
9 that govern such aircraft helps to ensure their safe oper-
10 ation.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that the Administrator of the Federal Aviation Ad-
3 ministration should continue to prioritize the education of
4 operators of unmanned aircraft through public outreach
5 efforts like the “Know Before You Fly” campaign.

6 **SEC. 2163. UNSAFE OPERATION OF UNMANNED AIRCRAFT.**

7 (a) IN GENERAL.—Chapter 2 of title 18, United
8 States Code, is amended—

9 (1) in section 31—

10 (A) in subsection (a)—

11 (i) by redesignating paragraph (10) as
12 paragraph (11); and

13 (ii) by inserting after paragraph (9)
14 the following:

15 “(10) UNMANNED AIRCRAFT.—The term ‘un-
16 manned aircraft’ has the meaning given such term
17 in section 44801 of title 49.”; and

18 (B) in subsection (b), by inserting “‘air-
19 port’,” before “‘appliance’”; and

20 (2) by inserting after section 39A the following:

21 **“§ 39B. Unsafe operation of unmanned aircraft**

22 “(a) OFFENSE.—Any person who operates an un-
23 manned aircraft and, in so doing, knowingly or recklessly
24 interferes with, or disrupts the operation of, an aircraft
25 carrying 1 or more occupants operating in the special air-

1 craft jurisdiction of the United States, in a manner that
2 poses an imminent safety hazard to such occupants, shall
3 be punished as provided in subsection (b).

4 “(b) PENALTY.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), the punishment for an offense under sub-
7 section (a) shall be a fine under this title, imprison-
8 ment for not more than 1 year, or both.

9 “(2) SERIOUS BODILY INJURY OR DEATH.—Any
10 person who attempts to cause, or knowingly or reck-
11 lessly causes, serious bodily injury or death during
12 the commission of an offense under subsection (a)
13 shall be fined under this title, imprisoned for any
14 term of years or for life, or both.

15 “(c) OPERATION OF UNMANNED AIRCRAFT IN CLOSE
16 PROXIMITY TO AIRPORTS.—

17 “(1) IN GENERAL.—The operation of an un-
18 manned aircraft within a runway exclusion zone
19 shall be considered a violation of subsection (a) un-
20 less such operation is approved by the airport’s air
21 traffic control facility or is the result of a cir-
22 cumstance, such as a malfunction, that could not
23 have been reasonably foreseen or prevented by the
24 operator.

1 “(2) RUNWAY EXCLUSION ZONE DEFINED.—In
2 this subsection, the term ‘runway exclusion zone’
3 means a rectangular area—

4 “(A) centered on the centerline of an ac-
5 tive runway of an airport immediately around
6 which the airspace is designated as class B,
7 class C, or class D airspace at the surface
8 under part 71 of title 14, Code of Federal Reg-
9 ulations; and

10 “(B) the length of which extends parallel
11 to the runway’s centerline to points that are 1
12 statute mile from each end of the runway and
13 the width of which is $\frac{1}{2}$ statute mile.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 for chapter 2 of title 18, United States Code, is amended
16 by inserting after the item relating to section 39A the fol-
17 lowing:

“39B. Unsafe operation of unmanned aircraft.”.