AMENDMENT NO. 3623

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

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

AMENDMENT N:\ 3623

By Whitehouse

To: Amor No 3464


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Viz:

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

PART IV—OPERATOR SAFETY

3 SEC. 2161. SHORT TITLE.

4 This part may be cited as the “Drone Operator Safety Act”.

6 SEC. 2162. FINDINGS; SENSE OF CONGRESS.

7 (a) FINDING.—Congress finds that educating operators of unmanned aircraft about the laws and regulations that govern such aircraft helps to ensure their safe operation.
(b) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator of the Federal Aviation Administration should continue to prioritize the education of operators of unmanned aircraft through public outreach efforts like the "Know Before You Fly" campaign.

SEC. 2163. UNSAFE OPERATION OF UNMANNED AIRCRAFT.

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

(1) in section 31—

(A) in subsection (a)—

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

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

"(10) UNMANNED AIRCRAFT.—The term ‘unmanned aircraft’ has the meaning given such term in section 44801 of title 49.’’; and

(B) in subsection (b), by inserting ‘‘air-portal,’’ before ‘‘‘appliance’’’; and

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

§39B. Unsafe operation of unmanned aircraft

"(a) OFFENSE.—Any person who operates an unmanned aircraft and, in so doing, knowingly or recklessly interferes with, or disrupts the operation of, an aircraft carrying 1 or more occupants operating in the special air-
craft jurisdiction of the United States, in a manner that
poses an imminent safety hazard to such occupants, shall
be punished as provided in subsection (b).

"(b) PENALTY.—

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

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

"(c) OPERATION OF UNMANNED AIRCRAFT IN CLOSE
PROXIMITY TO AIRPORTS.—

"(1) IN GENERAL.—The operation of an un-
manned aircraft within a runway exclusion zone
shall be considered a violation of subsection (a) un-
less such operation is approved by the airport’s air
traffic control facility or is the result of a cir-
cumstance, such as a malfunction, that could not
have been reasonably foreseen or prevented by the
operator.
“(2) Runway exclusion zone defined.—In this subsection, the term ‘runway exclusion zone’ means a rectangular area—

“(A) centered on the centerline of an active runway of an airport immediately around which the airspace is designated as class B, class C, or class D airspace at the surface under part 71 of title 14, Code of Federal Regulations; and

“(B) the length of which extends parallel to the runway’s centerline to points that are 1 statute mile from each end of the runway and the width of which is ½ statute mile.”.

(b) Clerical Amendment.—The table of sections for chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 39A the following:

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