

AB 426 - Civil Penalty For Impeding Emergency Response With Drone

SUMMARY

AB 426 would create a civil penalty of up to \$75,000 against any Unmanned Aircraft Systems (UAS) or drone pilot who interferes with wildfire suppression, law enforcement or emergency response operations unless the drone pilot was granted a Federal Aviation Administration (FAA) waiver to fly in restricted airspace.

EXISTING LAW

California Civil Code 1708.8 penalizes drone operators who violate the privacy of others. The law also limits the liability of first responders, local public entities and public employee for any damage to a UAS if it interferes with the work of first responders, emergency workers or emergency services. It is a misdemeanor offense when the operation interferes with the duty of public servants.

The Federal Aviation Administration (FAA) often implements Temporary Flight Restrictions (TFRs) around wildfires to protect firefighting aircraft.

ISSUE

According to the FAA, in recent years, there have been more than 100 documented cases of unauthorized drones flying near wildfires.

UAS or drone pilots pose serious threats to emergency response teams. According to the United States Forest Service, the use of unauthorized drones can hinder the effectiveness of wildfire suppression operations. Firefighting aircraft fly at low altitudes, the same altitudes as many UAS, creating a risk for mid-air collision or pilot distraction. In 2019, aerial firefighting services had to be shut down three different times in California due to unauthorized drone flights.

These are circumstances where impeding on wildfire suppression, law enforcement or emergency response operations will risk lives.

SOLUTION

AB 426 creates a civil penalty of up to \$75,000 against any Unmanned Aircraft Systems (UAS) or drone pilot who interferes with wildfire suppression, law enforcement or emergency response operations unless the drone pilot was granted a Federal Aviation Administration (FAA) waiver to fly in restricted airspace.

AB 426 will help all personnel involved in wildfire suppression, law enforcement or emergency response operations to do their job effectively without distraction or hindrance.

SIMILAR LEGISLATION

SB 807 (Gaines, 2016) - Unmanned aircraft systems - Chaptered

AB 1680 (Rodriguez, 2016) - Crimes: emergency personnel - Chaptered

SUPPORT

None on File.

OPPOSITION

None on File.

CO-AUTHORS

None on File.

FOR MORE INFORMATION

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