

**Proposal for Legislation to Establish Model Ordinance for Unmanned Aircraft Systems
Working Group**

Article 6 (commencing with Section 65052) is added to Chapter 1.5 of Division 1 of Title 7 of the Government Code to read:

Article 6. Local Regulation of Unmanned Aircraft Systems

65052. (a) *The Legislature finds and declares that sovereignty in the space above the land and waters of this state rests in the state, except where granted to and assumed by the United States pursuant to a constitutional grant from the people of the state, ~~pursuant to Public Utilities Code section 21401~~. The operation of aircraft in such space is a privilege subject to the laws of this state. Consistent regulation of the operation and flight of unmanned aircraft systems by the political subdivisions of this state is necessary to avoid fractionalized control of the navigable airspace and preserve the public safety. Regulation of the operation and flight of unmanned aircraft systems thus is a matter of statewide concern and not a municipal affair under Section 5 of Article XI of the California Constitution.*

(b) There is hereby established the Model Ordinance for Unmanned Aircraft Systems Working Group under the Governor's Office of Planning and Research.

(c) The Model Ordinance for Unmanned Aircraft Systems Working Group shall consist of the following members:

(1) The Director of the Office of Planning and Research, as the chair of the working group.

(2) One representative of city government appointed by the League of California Cities.

(3) One representative of local law enforcement appointed by the California Police Chiefs Association.

(4) One representative of a manufacturer of unmanned aircraft appointed by the Governor.

(5) One representative of academia who has published on legal and policy issues related to unmanned aircraft appointed by the Vice Chair of the Senate Select Committee on Defense and Aerospace.

(6) One public member appointed by the Speaker of the Assembly.

(7) One representative of a community-based organization representing the model aircraft community appointed by the Chair of the Assembly Select Committee on Emerging Technologies.

(8) One representative of industry that provides unmanned aircraft related airspace safety technology to airports appointed by Los Angeles World Airports Chief of Police.

(9) One public member appointed by the President Pro Tempore of the Senate.

(10) One ex officio member representing the Federal Aviation Administration.

(d) The working group, by majority vote, shall develop a model ordinance for community-based safety regulations of unmanned aircraft systems consistent with the federal statutory and regulatory framework pertaining to control of the airspace, flight management and efficiency, air traffic control and aviation safety.

(e) The working group, by majority vote, shall identify a limited set of specific critical infrastructure and appropriate restrictions on the operation of unmanned aircraft in a manner that might damage or threaten the operation of that critical infrastructure.

(f) The working group, on or before May 31, 2017, shall submit to the model ordinance to the Legislature to consider. The Legislature may enact a statute authorizing political subdivisions to adopt the ordinance.

(g) This article shall remain in effect only until January 1, 2018, and of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.