

HOUSE BILL 1229

E1

7lr2079

By: **Delegates Buckel, Beitzel, Kittleman, Mautz, McComas, McKay, Rose, Shoemaker, and B. Wilson**

Introduced and read first time: February 10, 2017

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Facilities – Unmanned Aircraft Systems – Proximity**

3 FOR the purpose of prohibiting, except under certain circumstances, a person from using a
4 certain unmanned aircraft system within a certain distance of a correctional facility;
5 establishing certain penalties for a violation of this Act; defining a certain term; and
6 generally relating to unmanned aircraft systems.

7 BY adding to

8 Article – Correctional Services

9 Section 10–802

10 Annotated Code of Maryland

11 (2008 Replacement Volume and 2016 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Correctional Services**

15 **10–802.**

16 **(A) (1) IN THIS SECTION, “UNMANNED AIRCRAFT SYSTEM” MEANS A**
17 **POWERED AERIAL VEHICLE THAT:**

18 **(I) DOES NOT CARRY A HUMAN OPERATOR;**

19 **(II) USES AERODYNAMIC FORCES TO PROVIDE VEHICLE LIFT;**

20 **(III) CAN FLY AUTONOMOUSLY OR BE PILOTED REMOTELY; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(IV) IS EXPENDABLE OR RECOVERABLE.

(2) "UNMANNED AIRCRAFT SYSTEM" DOES NOT INCLUDE:

(I) A MODEL FLYING AIRPLANE OR ROCKET, INCLUDING ONE THAT IS RADIO-CONTROLLED OR OTHERWISE REMOTELY CONTROLLED AND USED PURELY FOR SPORT OR RECREATIONAL PURPOSES; OR

(II) AN UNMANNED AIRCRAFT SYSTEM USED IN MAPPING OR RESOURCE MANAGEMENT.

(B) A PERSON MAY NOT FLY AN UNMANNED AIRCRAFT SYSTEM WITHIN 1,000 FEET OF A CORRECTIONAL FACILITY.

(C) THIS SECTION DOES NOT PROHIBIT THE USE OF AN UNMANNED AIRCRAFT SYSTEM:

(1) IN ACCORDANCE WITH A VALID SEARCH WARRANT; OR

(2) IN CONNECTION WITH AN EMERGENCY RESPONSE FOR SAFETY, SEARCH AND RESCUE, OR A CONTROLLED DANGEROUS SUBSTANCE INVESTIGATION.

(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 4 YEARS OR A FINE NOT EXCEEDING \$2,000 OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.