

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 94
Committee Substitute Favorable 3/30/17
PROPOSED COMMITTEE SUBSTITUTE H94-PCS40463-BG-12

Short Title: Emergency Management/Drone Use.

(Public)

Sponsors:

Referred to:

February 15, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE AN EMERGENCY MANAGEMENT AGENCY TO USE
3 UNMANNED AIRCRAFT SYSTEMS FOR EMERGENCY MANAGEMENT
4 FUNCTIONS AND ACTIVITIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 15A-300.1 reads as rewritten:
7 **"§ 15A-300.1. Restrictions on use of unmanned aircraft systems.**

8 ...
9 (c) Law Enforcement Exceptions. – Notwithstanding the provisions of subsection (b) of
10 this section, the use of unmanned aircraft systems by law enforcement agencies of the State or a
11 political subdivision of the State is not prohibited in the following instances:

- 12 (1) To counter a high risk of a terrorist attack by a specific individual or
13 organization if the United States Secretary of Homeland Security or the
14 Secretary of the North Carolina Department of Public Safety determines that
15 credible intelligence indicates that such a risk exists.
- 16 (2) To conduct surveillance in an area that is within a law enforcement officer's
17 plain view when the officer is in a location the officer has a legal right to be.
- 18 (3) If the law enforcement agency first obtains a search warrant authorizing the
19 use of an unmanned aircraft system.
- 20 (4) If the law enforcement agency possesses reasonable suspicion that, under
21 particular circumstances, swift action is needed to prevent imminent danger
22 to life or serious damage to property, to forestall the imminent escape of a
23 suspect or the destruction of evidence, to conduct pursuit of an escapee or
24 suspect, or to facilitate the search for a missing person.
- 25 (5) To photograph gatherings to which the general public is invited on public or
26 private land.

27 (c1) Emergency Management Exception. – Notwithstanding the provisions of subsection
28 (b) of this section, an emergency management agency, as defined in G.S. 166A-19.3, may use
29 unmanned aircraft systems for all functions and activities related to emergency management,
30 including incident command, area reconnaissance, search and rescue, preliminary damage
31 assessment, hazard risk management, and floodplain mapping.

32"

33 **SECTION 2.** This act is effective when it becomes law.



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