

Drone Briefs

NEWS AND LEGAL UPDATES FOR MUNICIPAL UAV PROGRAMS – February 2022

Unfortunately, It's No Magic Trick

On January 1, 2023, the majority of Florida's public safety drones will turn into paperweights. Does this matter outside Florida? Absolutely.

Federal concerns regarding foreign-made drones (Chinese, in particular) are not new; however, state legislation restricting use by governmental agencies IS new. That's why a 2021 amendment to Florida Statutes §934.50, restricting governmental drone use, is causing discomfort far beyond the state's borders. The new "Security Standards for Public Safety Drone Use" provisions required Florida's Department of Management Services, by January 1, 2022, to publish an approved manufacturer list for governmental drone purchases and use. The list is short, and of course, does not include DJI or Autel:

- Skydio
- Parrot
- Altavian (Teledyne/FLIR)
- Teal Drones
- Vantage Robotics.

Which agencies are subject to the restrictions? An easier question might be which ones aren't, as the answer would comprise a much shorter list. The Florida restrictions apply to any "Governmental Agency", defined as: "Any state, county, local or municipal government entity or any unit of government created or established by law that uses a drone for any purpose."

What are the restrictions?

- After January 1, 2022, Governmental Agencies may only purchase "or otherwise acquire" drones on the Approved List.

- By July 1, 2022, Governmental Agencies using drones NOT on the Approved List must submit a "comprehensive plan" for discontinuing such use; and
- By January 1, 2023, all Governmental Agencies must stop using unapproved drones. This prohibition likely applies not only to in-state agencies, but also to out-of-state mutual aid partners assisting in-state agencies with hurricane or other disaster relief efforts (such as at the Surfside condominium collapse).

Why should we care about a Florida law? Because Florida's legislation is similar to S.73, The American Security Drone Act of 2021 (the "ASDA"), introduced in 2019 then reintroduced in 2021 by Florida Senator Rick Scott, and cosponsored by Connecticut Senators Richard Blumenthal and Chris Murphy. In explaining his support, Blumenthal stated: "Without congressional action, adversaries like China and Iran will use drone technology as tiny Trojan Horses to spy on our government, our critical infrastructure – even our hospitals and homes. This bill will ensure that we don't send China and others a gold-plated, flying invitation to steal our intellectual property, undermine our domestic technology, and spy on our communities."

With few exceptions, the ASDA bans federal procurement and use of drones "manufactured or assembled by." among other entities, those "domiciled in" or "subject to influence or control by" China. The ASDA has been incorporated into more comprehensive legislation this year.

Bans on foreign-made drones (and in particular, those made in China) have existed since at least 2017, when the US Army banned use of DJI drones for security reasons. Since then, the Pentagon and

the Department of the Interior have also banned drones made in China or with Chinese-made components. In August of 2020, the Department of Defense (“DoD”), in conjunction with its Defense Innovation Unit released a list of five approved drones, now known as [Blue sUAS 1.0](#):

- Altavian (Teledyne / FLIR) M440 Ion
- Parrot Anafi USA
- Skydio X2d
- Teal Drones Golden Eagle
- Vantage Robotics Vesper

Florida’s list is identical to this but doesn’t specify models. This past October, in an effort to add more policy-compliant, cost-effective options, DoD named 11 more manufacturers in a new [Blue sUAS 2.0](#) list:

- Ascent AeroSystems
- BlueHalo LLC
- Easy Aerial Inc.
- FlightWave Aerospace Systems Corporation
- Freely Systems East
- Harris Aerial
- Inspired Flight Technologies Inc.
- senseFly Inc
- Skydio, Inc.
- Vision Aerial
- Wingtra AG

So what does this mean for you? 1) You should keep your eyes and ears open for Connecticut proposals similar to the Florida law; 2) in purchasing your next drone, along with the standard considerations of cost and utility, you may also want to factor in whether the drone could potentially be grounded by future legislation; and 3) **you should publicize your program’s successes** so Connecticut residents understand how important drones are for helping you do your job and for keeping them safe. Public support may be critical in addressing legislation that could severely impair your program.

CT Municipal UAV Task Force News

Bobby Ouyang, CEO of Skyebrowse was the guest speaker at the January meeting. He gave an excellent overview of the Skyebrowse platform and the many ways

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it can benefit municipal drone programs. Links to the recorded portion of all speaker meetings are on the group’s website at www.ctmuts.weebly.com.

Next meeting: March 3, 2022 1:00 p.m. Chris Williams of Cloud City Drones will discuss and compare Blue Drones with more commonly-used alternatives.

Resources

Below is a list of public safety UAV educational resources we have found particularly helpful. It is by no means exclusive:

DRONERESPONDERS – www.droneresponders.org
(news, podcasts, videos, research, monthly webinars with the FAA , form documents)

Airborne Public Safety Association - www.publicsafetyaviation.org
(newsletters, form documents, reports, videos)

Public Safety Flight – www.psflight.org
(flight safety guidance, research, podcasts with the FAA)

FAA – <https://www.faa.gov/uas/>
(general UAS information)

piXL Drone Show - www.pixldroneshow.com
(video interviews)

Skyfire Consulting - skyfireconsulting.com
(educational videos, newsletter)

Other useful links

Drone Zone - www.droneregistration.com
(register your drone, file for waivers)

FAA UAS Facility Maps – www.faa.maps.arcgis.com
(controlled airspace limits)

FAASTeam – www.faasafety.gov
(register for recurrent training)

For more information or to join the mailing list, please contact:

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Jennifer is an instrument-rated private pilot with over 25 years of experience. She holds a part 107 remote pilot certificate, is an FAA Safety Team (FAASTeam) Drone Pro and a civilian representative to the TSA CT Rapid Incident Response Team.