

ASSEMBLY, No. 3174

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 7, 2022

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

SYNOPSIS

Requires certain drones to contain geo-fencing technology; makes violation a fourth degree crime.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning unmanned aircraft systems and supplementing
2 Title 2C of the New Jersey Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. As used in this section:

8 "Operate" shall have the same meaning as defined in section 1 of
9 P.L.2017, c.315 (C.2C:40-27).

10 "Unmanned aircraft" shall have the same meaning as defined in
11 section 1 of P.L.2017, c.315 (C.2C:40-27).

12 "Unmanned aircraft system" shall have the same meaning as
13 defined in section 1 of P.L.2017, c.315 (C.2C:40-27).

14 b. Every unmanned aircraft system that is sold to or operated
15 by a private individual or business entity in this State shall contain
16 geo-fencing technology that prevents the unmanned aircraft system
17 from operating above 500 feet and within two miles of an airport or
18 protected airspace, including but not limited to a stadium with a
19 seating capacity of 30,000 or more people during a regular or post
20 season Major League Baseball game, National Football League
21 game, National Collegiate Athletic Association Division One
22 football game, or a major motor speedway event.

23 The provisions of this section shall not apply to members of a
24 law enforcement agency; fire department; State, county, or
25 municipal Office of Emergency Management; the Armed Forces of
26 the United States; or the National Guard, while in the performance
27 of official duties.

28 c. A person who sells or operates an unmanned aircraft system
29 in violation of the provisions of subsection b. of this section shall
30 be guilty of a crime of the fourth degree.

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32 2. This act shall take effect immediately.

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STATEMENT

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37 This bill requires certain unmanned aircraft systems, commonly
38 referred to as drones, to contain geo-fencing technology and makes
39 a violation of this provision a fourth degree crime.

40 Specifically, under the provisions of this bill, every drone that is
41 sold to or operated by a private individual or business entity in this
42 State is required to contain geo-fencing technology that prevents the
43 drone from flying above 500 feet and within two miles of an airport
44 or protected airspace. Protected airspace includes, but is not limited
45 to, a stadium with a seating capacity of 30,000 or more people
46 during a regular or post season Major League Baseball game,
47 National Football League game, National Collegiate Athletic

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1 Association Division One football game, or a major motor
2 speedway event.

3 These provisions do not apply to members of a law enforcement
4 agency; fire department; State, county, or municipal Office of
5 Emergency Management; the Armed Forces of the United States; or
6 the National Guard, while in the performance of official duties.

7 Geo-fencing is a feature in a software program that uses the
8 global positioning system or radio frequency identification to define
9 geographical boundaries. A geo-fence is a virtual barrier.

10 Under the bill, a person who sells or operates a drone that does
11 not contain the required geo-fencing technology is guilty of a fourth
12 degree crime. A fourth degree crime is punishable by up to 18
13 months imprisonment, a fine of up to \$10,000, or both.