

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 19.2-60.1 of the Code of Virginia, relating to use of unmanned aircraft*  
3 *by a locality; search warrant; exception.*

4 [S 186]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 19.2-60.1 of the Code of Virginia is amended and reenacted as follows:**8 **§ 19.2-60.1. Use of unmanned aircraft systems by public bodies; search warrant required.**

9 A. As used in this section, unless the context requires a different meaning:

10 "Unmanned aircraft" means an aircraft that is operated without the possibility of human intervention  
11 from within or on the aircraft.12 "Unmanned aircraft system" means an unmanned aircraft and associated elements, including  
13 communication links, sensing devices, and the components that control the unmanned aircraft.14 B. No state or local government department, agency, or instrumentality having jurisdiction over  
15 criminal law enforcement or regulatory violations, including but not limited to the Department of State  
16 Police, and no department of law enforcement as defined in § 15.2-836 of any county, city, or town  
17 shall utilize an unmanned aircraft system except during the execution of a search warrant issued  
18 pursuant to this chapter or an administrative or inspection warrant issued pursuant to law.19 C. Notwithstanding the prohibition in this section, an unmanned aircraft system may be deployed  
20 without a warrant (i) when an Amber Alert is activated pursuant to § 52-34.3, (ii) when a Senior Alert is  
21 activated pursuant to § 52-34.6, (iii) when a Blue Alert is activated pursuant to § 52-34.9, (iv) where use  
22 of an unmanned aircraft system is determined to be necessary to alleviate an immediate danger to any  
23 person, (v) for training exercises related to such uses, or (vi) if a person with legal authority consents to  
24 the warrantless search.25 D. The warrant requirements of this section shall not apply when such systems are utilized to support  
26 the Commonwealth *or any locality* for purposes other than law enforcement, including damage  
27 assessment, traffic assessment, flood stage assessment, and wildfire assessment. Nothing herein shall  
28 prohibit use of unmanned aircraft systems for private, commercial, or recreational use or solely for  
29 research and development purposes by institutions of higher education and other research organizations  
30 or institutions.31 E. Evidence obtained through the utilization of an unmanned aircraft system in violation of this  
32 section is not admissible in any criminal or civil proceeding.33 F. In no case may a weaponized unmanned aircraft system be deployed in the Commonwealth or its  
34 use facilitated in the Commonwealth by a state or local government department, agency, or  
35 instrumentality or department of law enforcement in the Commonwealth except in operations at the  
36 Space Port and Naval/Aegis facilities at Wallops Island.37 G. Nothing herein shall apply to the Armed Forces of the United States or the Virginia National  
38 Guard while utilizing unmanned aircraft systems during training required to maintain readiness for its  
39 federal mission or when facilitating training for other U.S. Department of Defense units.

ENROLLED

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