

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 15.2-926.3 of the Code of Virginia, relating to local regulation of*  
3 *unmanned aircraft.*

4  
5 Approved

[H 742]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 15.2-926.3 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 15.2-926.3. Local regulation of certain aircraft.**

9 A. No political subdivision may regulate the use of a privately owned, unmanned aircraft system as  
10 defined in § 19.2-60.1 within its boundaries.

11 B. *Notwithstanding the prohibition of subsection A, a political subdivision may, by ordinance or*  
12 *regulation, regulate the take-off and landing of an unmanned aircraft, as defined in § 19.2-60.1, on*  
13 *property owned by the political subdivision. Such ordinance or regulation shall be developed and*  
14 *authorized in accordance with the rules and regulations promulgated by the Department of Aviation (the*  
15 *Department). The political subdivision shall report to the Department any ordinance or regulation*  
16 *adopted pursuant to this section, and the Department shall publish and update annually on its website,*  
17 *and any other website the Department deems appropriate, a summary of any such ordinance or*  
18 *regulation adopted.*

19 C. Nothing in this section shall permit a person to go or enter upon land owned by a political  
20 subdivision solely because he is in possession of an unmanned aircraft system if he would not otherwise  
21 be permitted entry upon such land.

22 D. *Nothing in this section shall be construed to prohibit (i) the take-off or landing of an unmanned*  
23 *aircraft by a commercial operator in compliance with Federal Aviation Administration regulations, or as*  
24 *deemed reasonable or necessary by private or public entities for emergency or maintenance support*  
25 *functions or services, including the protection and maintenance of public or private critical*  
26 *infrastructure; (ii) the landing of an unmanned aircraft by an operator in compliance with Federal*  
27 *Aviation Administration regulations as deemed reasonable or necessary by the operator in the event of a*  
28 *technical malfunction of an unmanned aircraft system; (iii) the take-off or landing of an unmanned*  
29 *aircraft being operated by a sworn public safety officer in the performance of his duties; or (iv) the*  
30 *take-off or landing of an unmanned aircraft owned or operated by the United States government, or any*  
31 *operator under contract with any agency of the United States government, in performance of his*  
32 *assigned duties.*

33 **2. That the provisions of the first enactment of this bill shall become effective on January 1, 2021.**

34 **3. That by January 1, 2021, the Virginia Department of Aviation, in consultation with**  
35 **representatives of the unmanned aircraft system industry, small and medium-sized businesses**  
36 **utilizing unmanned aircraft systems, localities, and other stakeholders, shall develop rules and**  
37 **regulations specific to take-offs and landings pursuant to the provisions of this act. Such rules and**  
38 **regulations shall be in accordance with federal rules and regulations and shall include a process**  
39 **for adoption of an ordinance or regulation, exemptions to the ordinance or regulation, political**  
40 **subdivision training, and notification requirements.**

ENROLLED

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