

## DRAFT Unmanned Aircraft Regulations

### Definitions

1. Unmanned Aircraft System (“UAS”) means an unmanned aircraft vehicle, drone, remotely piloted vehicles, or remotely piloted aircraft that does not carry a human operator.

### Offenses:

1. A person commits an offense if the person uses an unmanned aircraft to photograph, film, audiotape, or otherwise record an individual or individuals acting on private property without the expressed, written consent of the property owner and the individuals included in the recording.
  - a. An offense under this section is a Class 1 misdemeanor
  - b. It is a defense to prosecution under this section that the person destroyed all photographs, films, audiotapes, and other records:
    - i. As soon as the person had knowledge that the image was captured in violation of this section;
    - ii. Without disclosing, displaying, or distributing the image to a third party;
    - iii. The recordings did not include
      1. Children; or
      2. Sexual acts or nudity.
2. A person commits an offense if the person makes a recording in violation of Section 1 and discloses, displays, distributes, sells, or otherwise uses that image
  - a. An offense under this section is a Class 1 misdemeanor
  - b. Each image a person discloses, displays, distributes, or sells under this section is a separate offense
3. A person commits an offense if he outfits an unmanned aircraft system with a weapon and flies that unmanned aircraft over the private property of another individual or entity without expressed, written permission
  - a. An offense under this section is a Class 1 misdemeanor

### Nonapplicability

1. It is lawful to use an unmanned aircraft within the City of Phoenix to photograph, film, audiotape, or otherwise record an individual or individuals acting on private property
  - a. if the recording is captured for the purpose of mapping;
  - b. if the recording is captured by the City of Phoenix or an individual or entity under contract with the City of Phoenix for the purposes of resource management;
  - c. if the recording is made for the operation and maintenance of utilities or telecommunication facilities for the purpose of maintaining the reliability and integrity of the utility or telecommunication system or to determine if repairs to the system are necessary;

- d. if law enforcement is using the unmanned aircraft system to execute a valid search warrant;
- e. if law enforcement is acting under circumstances in which an exception to the warrant requirement is applicable;
- f. if law enforcement is using the unmanned aircraft system to document a crime scene where a felony offense has been committed; or
- g. if law enforcement is conducting a search for a missing or abducted person.
- h. if the recording is made over several private residences for an artistic or journalistic purpose and no individuals captured on the recording are personally identifiable