

## CHAPTER 385

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**GOVERNMENT - STATE**

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**HOUSE BILL 18-1314**

BY REPRESENTATIVE(S) Ginal and Lawrence, Arndt, Becker K., Buckner, Carver, Coleman, Exum, Garnett, Gray, Hamner, Hansen, Kennedy, Lontine, McKean, McLachlan, Pettersen, Reyher, Roberts, Rosenthal, Singer, Valdez, Winkler, Young, Duran; also SENATOR(S) Cooke, Crowder, Gardner, Jones, Kagan, Kerr, Lambert, Martinez Humenik, Priola, Scott, Smallwood, Tate.

**AN ACT****CONCERNING PROHIBITING THE USE OF UNMANNED AIRCRAFT SYSTEMS TO OBSTRUCT PUBLIC SAFETY OPERATIONS.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1. Legislative declaration.** (1) The general assembly finds that, as the use of unmanned aircraft systems expands in Colorado, the possibility exists that operators of such systems may interfere with public safety operations and that such interference could create public safety concerns.

(2) Now, therefore, it is the intent of the general assembly that:

(a) Efforts should be undertaken to increase public awareness of the possible hazards of unmanned aircraft systems and to provide necessary tools to eliminate, to the extent possible, interference with public safety activities by operators of unmanned aircraft systems; and

(b) When a public safety agency enters a scenario in which interference by unmanned aircraft systems would likely put public safety at risk:

(I) The agency should make its presence known; and

(II) Operators of unmanned aircraft systems should follow applicable laws and regulations and comply with any instructions issued by public safety entities on the scene.

**SECTION 2.** In Colorado Revised Statutes, 18-8-104, **amend** (5)(b); and **add** (2.5) and (5)(c) as follows:

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*Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**18-8-104. Obstructing a peace officer, firefighter, emergency medical services provider, rescue specialist, or volunteer.** (2.5) IF A PERSON IS ALLEGED TO HAVE COMMITTED THE OFFENSE DESCRIBED IN SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION BY USING OR THREATENING TO USE AN UNMANNED AIRCRAFT SYSTEM AS AN OBSTACLE, THE OFFENSE DOES NOT APPLY IF THE PERSON WHO OPERATES THE UNMANNED AIRCRAFT SYSTEM:

(a) OBTAINS PERMISSION TO OPERATE THE UNMANNED AIRCRAFT SYSTEM FROM A LAW ENFORCEMENT AGENCY OR OTHER ENTITY THAT IS COORDINATING THE RESPONSE OF PEACE OFFICERS, FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, RESCUE SPECIALISTS, OR VOLUNTEERS TO AN EMERGENCY OR ACCIDENT;

(b) CONTINUES TO COMMUNICATE WITH SUCH ENTITY DURING THE OPERATION OF THE UNMANNED AIRCRAFT SYSTEM; AND

(c) COMPLIES IMMEDIATELY WITH ANY INSTRUCTIONS FROM THE ENTITY CONCERNING THE OPERATION OF THE UNMANNED AIRCRAFT SYSTEM.

(5) For purposes of this section, unless the context otherwise requires:

(b) ~~"Rescue specialist" means a member of a public or private rescue agency, whether that person is a volunteer or receives compensation for services rendered as such rescue specialist.~~ "OBSTACLE" INCLUDES AN UNMANNED AIRCRAFT SYSTEM.

(c) "RESCUE SPECIALIST" MEANS A MEMBER OF A PUBLIC OR PRIVATE RESCUE AGENCY, WHETHER THAT PERSON IS A VOLUNTEER OR RECEIVES COMPENSATION FOR SERVICES RENDERED AS SUCH RESCUE SPECIALIST.

**SECTION 3. Act subject to petition - effective date - applicability.** (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to offenses committed on or after the applicable effective date of this act.

Approved: June 6, 2018