States’ Unmanned Aerial Vehicle Laws

Miscellaneous

Illinois

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IL ST CH 620 § 5/42.1 Regulation of Unmanned Aircraft Systems

(a) As used in this Section:
   "Unmanned aircraft" means a device used or intended to be used for flight in
   the air that is operated without the possibility of direct human intervention within
   or on the device.
   "Unmanned aircraft system" means an unmanned aircraft and its associated
   elements, including communication links and the components that control the
   unmanned aircraft, that are required for the safe and efficient operation of the
   unmanned aircraft in the national airspace system.

(b) To the extent that State-level oversight does not conflict with federal laws, rules, or
    regulations, the regulation of an unmanned aircraft system is an exclusive power and
    function of the State. No unit of local government, including home rule unit, may enact
    an ordinance or resolution to regulate unmanned aircraft systems. This Section is a
    denial and limitation of home rule powers and functions under subsection (h) of
    Section 6 of Article VII of the Illinois Constitution. This Section does not apply to any
    local ordinance enacted by a municipality of more than 1,000,000 inhabitants.

(c) Nothing in this Section shall infringe or impede any current right or remedy
    available under existing State law.

(d) The Department may adopt any rules that it finds appropriate to address the safe
    and legal operation of unmanned aircraft systems in this State, so that those engaged
    in the operation of unmanned aircraft systems may so engage with the least possible
    restriction, consistent with their safety and with the safety and the rights of others, and
    in compliance with federal rules and regulations.