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## States' Unmanned Aerial Vehicle Laws: *Arizona*



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# A National Agricultural Law Center Research Publication

## States' Unmanned Aerial Vehicle Laws: Arizona

**AZ ST § 13-3729**

**AZ ST § 28-8280**

*Current through November 5, 2022*

### **AZ ST § 13-3729 Unlawful Operation of Model or Unmanned Aircraft State Preemption; Classification; Definitions**

- A. It is unlawful for a person to operate a model aircraft or a civil unmanned aircraft if the operation:
1. Is prohibited by a federal law or regulation that governs aeronautics, including federal aviation administration regulations.
  2. Interferes with a law enforcement, firefighter or emergency services operation.
- B. It is unlawful for a person to operate or use an unmanned aircraft or unmanned aircraft system to intentionally photograph or loiter over or near a critical facility in the furtherance of any criminal offense.
- C. Except as authorized by law, a city, town or county may not enact or adopt any ordinance, policy or rule that relates to the ownership or operation of an unmanned aircraft or unmanned aircraft system or otherwise engage in the regulation of the ownership or operation of an unmanned aircraft or an unmanned aircraft system. Any ordinance, policy or rule that violates this subsection, whether enacted or adopted by the city, town or county before or after August 6, 2016, is void.
- D. This section does not:
1. Apply to a person or entity that is authorized or allowed by the federal aviation administration to operate or use an unmanned aircraft system if the person's or entity's operation or use complies with the authorization granted to the person or entity or with federal aviation administration rules.
  2. Prohibit a city, town or county from enacting or adopting ordinances or rules on the operation or use of a public unmanned aircraft that is owned by the city, town or county.
  3. Prohibit a city, town or county from enacting or adopting ordinances or rules that regulate the takeoff or landing of a model aircraft in a park or preserve owned by the city, town or county if:
    - (a) There are other parks or preserves that are within the city, town or county and that are available for model aircraft operation.



(b) The city, town or county only has one park or preserve that is within the city, town or county.

4. Apply to the operation of an unmanned aircraft, including a public unmanned aircraft, by a first responder as defined in [§ 36-661](#) while acting in the first responder's official capacity or an emergency worker while engaged in or supporting authorized emergency management activities or performing emergency functions pursuant to title 26, chapter 2.1
- E. A violation of subsection B of this section is a class 6 felony, except that a second or subsequent violation is a class 5 felony. A violation of subsection A of this section is a class 1 misdemeanor.
- F. For the purposes of this section:
1. "Civil unmanned aircraft" means an unmanned aircraft or unmanned aircraft system that is operated by a person for any purpose other than strictly for hobby or recreational purposes, including commercial purposes, or in furtherance of or incidental to any business or media service or agency.
  2. "Commercial purposes" means the use of an unmanned aircraft in return for financial compensation and includes aerial photography, aerial mapping or geospatial imaging.
  3. "Critical facility" means any of the following:
    - (a) A petroleum or alumina refinery.
    - (b) A petroleum, chemical or rubber production, transportation, storage or processing facility.
    - (c) A chemical manufacturing facility.
    - (d) A water or wastewater treatment facility and water development, distribution or conveyance system, including a dam.
    - (e) An electric generation facility, as defined in [§ 42-14156](#), and any associated substation or switchyard.
    - (f) An electrical transmission or distribution substation.
    - (g) An electrical transmission line of at least sixty-nine thousand volts.
    - (h) An electronic communication station or tower.
    - (i) An energy control center.
    - (j) A distribution operating center.
    - (k) A facility that transfers or distributes natural gas, including a compressor station, regulator station, city gate station or pressure limiting station or a liquefied natural gas facility or supplier tap facility.
    - (l) Any railroad infrastructure or facility.
    - (m) A federal, state, county or municipal court.
    - (n) A public safety or emergency operation facility.
    - (o) A federal, state, county or municipal jail or prison or other facility in which persons are incarcerated.
    - (p) A federal or state military installation or facility.
    - (q) A hospital that receives air ambulance services.
  4. "Model aircraft" has the same meaning prescribed in section 336 of the FAA modernization and reform act of 2012 ([P.L. 112-95](#)), as amended.



5. "Person" means a corporation, firm, partnership, association, individual or organization or any other group acting as a unit.
6. "Public unmanned aircraft" means an unmanned aircraft or unmanned aircraft system that is operated by a public agency for a government-related purpose.
7. "Unmanned aircraft" means an aircraft, including an aircraft commonly known as a drone, that is operated without the possibility of direct human intervention from within or on the aircraft.
8. "Unmanned aircraft system" means an unmanned aircraft and associated elements, including any communication links and components that control the unmanned aircraft.

## **AZ ST § 28-8280 Careless or Reckless Aircraft Operation; Violation; Classification; Definitions**

- A. A person who operates an aircraft in the air, on the ground or on the water in a careless or reckless manner that endangers the life or property of another is guilty of a class 1 misdemeanor. In determining whether the operation was careless or reckless, the court shall consider the standards for safe operation of aircraft prescribed by federal statutes or regulations governing aeronautics.
- B. For the purposes of this section:
  1. "Aircraft" includes a model aircraft and civil unmanned aircraft.
  2. "Civil unmanned aircraft" has the same meaning prescribed in § 13-3729.
  3. "Model aircraft" has the same meaning prescribed in § 13-3729.

