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States' Unmanned Aerial Vehicle Laws: *Illinois*



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IL ST CH 620 § 5/42.1

Current through November 8, 2022

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.

