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States' Unmanned Aerial Vehicle Laws: *North Dakota*



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ND ST § 26.1-39-27

ND ST § 54-60-28

ND ST § 54-60-29

ND ST § 54-60-29.1

NDAC 58-02-08-02

Current through November 17, 2022

ND ST § 26.1-39-27 Travel, Event, and Unmanned Aircraft Insurance

1. As used in this section:
 - a. "Event cancellation coverage" means insurance covering the cancellation of an organized event, either public or private, described in the policy, which occurs on a specified date and time.
 - b. "Unmanned aircraft" means an aircraft operated without the possibility of direct human intervention from within or on the aircraft.
2. Unless otherwise provided under this title, the following insurance coverages are the only coverages that may cover an insured for a period of time other than beginning at 12:01 a.m. on the day on which coverage begins and ending at 12:01 a.m. on the day of expiration of the policy, as required by section 26.1-30-18:
 - a. Travel insurance;
 - b. Event cancellation coverage insurance; and
 - c. Unmanned aircraft liability insurance.
3. Any insurance policy covering insureds for a period of time other than beginning at 12:01 a.m. on the day on which coverage begins and ending at 12:01 a.m. on the day of expiration of the policy is subject to the provisions of sections 26.1-30-19, 26.1-30-20, and 26.1-30-21.

ND ST § 54-60-28 Unmanned Aircraft Systems Program – Report to Legislative Management

The department may establish and administer an unmanned aircraft systems test site, contingent upon receiving official designation by the federal aviation administration. The department shall cooperate with the university of North Dakota, the North Dakota aeronautics commission, the adjutant general, and private parties appointed by the governor in the administration of the



test site. The department may charge fees sufficient to operate the test site. The department shall, to the extent possible, use competitive bidding in the establishment and administration of the test site. The commissioner may charter a public corporation to operate the test site. The corporation must possess all of the powers of a business corporation consistent with this chapter. The department shall report to the legislative management semiannually on the status of the program.

ND ST § 54-60-29 Unmanned Aircraft Systems Program Fund – Continuing Appropriation

1. There is created in the state treasury a special fund known as the unmanned aircraft systems fund, which may be used to defray the expenses of the:
 - a. Operations of an unmanned aircraft systems test site officially designated by the federal aviation administration;
 - b. Beyond visual line of sight unmanned aircraft system program; and
 - c. Enhanced use lease grant program.
2. The fund consists of fees collected for the administration of the test site and other funds appropriated by the legislative assembly. All moneys in the fund are appropriated to the department of commerce on a continuing basis for the purpose of defraying the expenses of the programs identified in subsection 1. Interest earned on moneys in the fund must be credited to the fund.

ND ST § 54-60-29.1 Beyond Visual Line of Sight Unmanned Aircraft System Program – Requirements – Report to Legislative Management

The department may establish and administer a beyond visual line of sight unmanned aircraft system program for the design, purchase, implementation, and operating costs of a beyond visual line of sight unmanned aircraft system. The department shall require any entity receiving funding for this program which is operating the beyond visual line of sight unmanned aircraft system to provide quarterly payments to the state treasurer equal to three percent of the entity's gross income associated with the operation of the beyond visual line of sight unmanned aircraft system as reported in the entity's prior year financial statements. The state treasurer shall deposit any funds received under this section in the state general fund. The department shall provide semi-annual reports to the legislative management regarding the development of the beyond visual line of sight unmanned aircraft system program and the total amount deposited by the state treasurer in the state general fund.

NDAC 58-02-08-02 Definitions

In this chapter, unless the context or subject matter otherwise requires:



1. "Camping unit" means any vehicle or shelter specifically used for sleeping in or upon a portion of state land or water designated as a campsite.
2. "Campsite" means any area so designated by the department for the express purpose of camping. A campsite will normally include the following items: parking pad, picnic table, campsite marker, and fire ring.
3. "Department" means the North Dakota parks and recreation department.
4. "Director" means the director of the North Dakota parks and recreation department.
5. "Fireworks" means any device consisting of a combination of explosives or combustibles, set off to generate colored lights, smoke, or noise for amusement.
6. "Immediate family" means parent, parents, or guardian and their children under the age of eighteen.
7. "Occupied campsite" means a campsite where a valid camping permit is affixed to the campsite marker and a camping unit is onsite. If a camping unit is not onsite, a campsite is not occupied unless specific permission for leaving the campsite has been given by park personnel.
8. "Off-highway vehicle" means that term as defined by North Dakota Century Code section 39-29-01.
9. "Park manager" means the individual responsible for the administration of a state park.
10. "Snowmobile" means that term as defined in North Dakota Century Code section 39-24-01.
11. "State park" or "park" includes and embraces all land and water managed by the North Dakota parks and recreation department.
12. "Swimming area" means an area, marked by buoys, ropes, signs, or floats, or other United States coast guard-approved devices, in which swimming is allowed and the adjacent designated land area.
13. "Trail" means any path or route managed by the North Dakota parks and recreation department for motorized or nonmotorized recreational activities.
14. "Unmanned aircraft system" or "UAS" means an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft.

