



University of Arkansas Division of Agriculture

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States' Unmanned Aerial Vehicle Laws

Miscellaneous

Nevada

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STATE OF NEVADA

NV ST § 231.1525

NV ST § 493.020

NV ST § 493.118

NAC 555.280

NAC 555.613

Current through March 31, 2020

NV ST § 231.1525 Duties of Office of Economic Development; Agreement with Nonprofit Organization; Acceptance of Gifts, Grants and Donations

1. The Office shall, to the extent that money is available for this purpose, establish and carry out a program to facilitate the growth and safe integration of small unmanned aircraft systems in Nevada. The Office shall ensure that the program complies with all applicable federal statutes, rules and regulations.
2. The program established pursuant to subsection 1 may, upon the request of an operator of a small unmanned aircraft system:
 - (a) Provide training;
 - (b) Conduct testing; and
 - (c) Provide assistance with complying with any safety standards developed by the Federal Aviation Administration regarding small unmanned aircraft systems.
3. In carrying out the program, the Office may enter into an agreement with a nonprofit organization for the operation of the program. Such a nonprofit organization must have expertise relating to small unmanned aircraft systems.
4. The Office may accept any gifts, grants or donations for the support of the program.
5. As used in this section, "small unmanned aircraft system" has the meaning ascribed to it in 14 C.F.R. § 107.3.

NV ST § 493.020 Definitions

As used in NRS 493.010 to 493.120, inclusive, unless the context otherwise requires:

1. "Aircraft" includes a balloon, airplane, hydroplane, unmanned aerial vehicle and any other vehicle used for navigation through the air. A hydroplane, while at rest on water and while being operated on or immediately above water, is governed by the rules regarding water navigation. A hydroplane while being operated through the air other than immediately above water, is an aircraft.
2. "Critical facility" means a petroleum refinery, a petroleum or chemical production, transportation, storage or processing facility, a chemical manufacturing facility, a pipeline and any appurtenance thereto, a wastewater

treatment facility, a water treatment facility, a mine as that term is defined in NRS 512.006, a power generating station, plant or substation and any appurtenances thereto, any transmission line that is owned in whole or in part by an electric utility as that term is defined in subsection 6 of NRS 704.187 or owned, operated, inspected, maintained or repaired in whole or in part by the Colorado River Commission of Nevada pursuant to NRS 538.161 or 538.166, a county, city or town jail or detention facility and any prison, facility or institution under the control of the Department of Corrections. The term does not include any facility or infrastructure of a utility that is located underground.

3. "Department" means the Department of Public Safety.

4. "Law enforcement agency" means an agency, office, bureau, board, commission, department or division of this State or a political subdivision of this State, the primary duty of which is to enforce the law.

5. "Operator" includes aviator, pilot, balloonist and any other person having any part in the operation of aircraft while in flight.

6. "Passenger" includes any person riding in an aircraft, but having no part in its operation.

7. "Public agency" means an agency, office, bureau, board, commission, department or division of this State or a political subdivision of this State other than a law enforcement agency.

8. "Unmanned aerial vehicle" means a powered aircraft of any size without a human operator aboard the vehicle and that is operated remotely or autonomously.

NV ST § 493.118 Unmanned Aerial Vehicles: Department of Public Safety Required to Establish and Maintain Registry of Such Vehicles Operated by Public Agencies; Public Agencies Required to Submit Certain Information for Inclusion in Registry; Annual Reports to Legislature; Regulations

1. The Department shall, to the extent that money is available for this purpose, establish and maintain a registry of unmanned aerial vehicles that are operated by public agencies in this State. The Department shall include on its Internet website the information that is maintained in the registry.

2. A public agency shall, for each unmanned aerial vehicle the public agency intends to operate, submit to the Department, on a form provided by the Department, for inclusion in the registry:

(a) The name of the public agency;

(b) The name and contact information of each operator of the unmanned aerial vehicle;

(c) Sufficient information to identify the unmanned aerial vehicle; and

(d) A statement describing the use of the unmanned aerial vehicle by the public agency.

3. The Department shall, on or before February 1 of each year, prepare and submit to the Director of the Legislative Counsel Bureau for submission to the Legislature, or to the Legislative Commission when the Legislature is not in regular session, a report outlining the activities of public agencies with respect to the operation of unmanned aerial vehicles in this State.

4. The Department shall adopt regulations prescribing the public purposes for which a public agency may operate an unmanned aerial vehicle that is registered with the Department pursuant to this section, including, without limitation:

- (a) The provision of fire services.
- (b) The provision of emergency medical services.
- (c) The protection of a critical facility that is public property.
- (d) Search and rescue operations conducted for persons and property in distress.

NAC 555.280 Limitations on Unmanned Aerial Vehicles

(1) In any prosecution or proceeding within the state of Montana, information from an unmanned aerial vehicle is not admissible as evidence unless the information was obtained:

- (a) pursuant to the authority of a search warrant;
- (b) in accordance with judicially recognized exceptions to the warrant requirement; or
- (c) during the investigation of a motor vehicle crash scene that occurs on or involves a public roadway.

(2) Information obtained from the operation of an unmanned aerial vehicle may not be used in an affidavit of probable cause in an effort to obtain a search warrant unless the information was obtained under the circumstances described in subsection (1)(a), (1)(b), or (1)(c).

(3) For the purposes of this section, "unmanned aerial vehicle" means an aircraft that is operated without direct human intervention from on or within the aircraft. The term does not include satellites.

NAC 555.613 Fields of Licensed Primary Principal Commercial and Governmental Agency Applicators; Categories of Licensed Primary Principal Commercial Applicators

1. The fields of licensed primary principal commercial and governmental agency applicators are:

- (a) Aerial -- The use of aircraft, including, without limitation, an unmanned aerial vehicle, for the application of pesticides on standing or running water, rangeland, agricultural crops, forest, idle cropland and noncropland associated with the production of agricultural crops.
- (b) Agricultural ground -- The use of ground equipment for the application of pesticides on livestock, rangeland, agricultural crops, idle cropland and noncropland associated with the production of agricultural crops.
- (c) Urban and structural -- The use of ground equipment for the application of pesticides in urban areas and in, on or around structures.
- (d) Governmental agency -- The use of pesticides by an employee of a federal, state or local governmental agency, including, without limitation, for highway maintenance, weed control or structural pest control.

2. The categories of licensed primary principal commercial applicators are:

- (a) Aerial:

- (1) Agricultural plant pests -- The application of insecticides, miticides, acaricides, fungicides, bactericides and nematocides.
- (2) Weeds -- The application of herbicides, plant regulators, desiccants and defoliant.

(b) Agricultural ground:

- (1) Agricultural plant pests -- The application of insecticides, miticides, acaricides, fungicides, bactericides and nematocides.
- (2) Weeds -- The application of herbicides, plant regulators, desiccants and defoliant.
- (3) Vertebrate pests -- The application of various substances on agricultural ground for the control of vertebrate pests, including, without limitation, the use of fumigants for burrowing rodents. This category does not include the control of vertebrate pests in, on or around industrial complexes, institutional complexes, dwelling units or other structures designed for use by humans, or on ornamentals or turf in, on or around such structures.
- (4) Soil fumigation -- The use of various substances, including, without limitation, fumigants for the control of any pest that is present in the soil at the time of treatment, including, without limitation, plant-parasitic nematodes, soil-borne pathogens, weeds and insects.

(c) Urban and structural:

- (1) Limited landscape -- The control of insect pests, vertebrate pests and plant diseases and the use of plant regulators on ornamentals and turf in urban areas, including, without limitation, fruit trees in urban areas if the fruit trees are not used for commercial purposes.
- (2) Industrial and institutional -- The control of insect pests and vertebrate pests in, on or around industrial complexes, institutional complexes and dwelling units.
- (3) Structural -- The control of wood-destroying pests, inspection for wood-destroying pests and inspection for conditions conducive to infestations of wood-destroying pests.
- (4) Fumigation -- The use of poisonous and lethal fumigants.
- (5) Aquatic -- The control of insect pests, weeds and vertebrate pests in aquatic areas that are used or are intended for use in and around industrial complexes, institutional complexes and dwelling units.
- (6) Weeds -- The control of weeds in the maintenance of landscapes, turf and rights-of-way, including, without limitation, public roads, power lines, pipelines and railway rights-of-way. This category does not include the control of aquatic weeds.
- (7) Preservation of wood -- The application of pesticides directly to wood or wood products that are not a part of a habitable structure to prevent or control the degradation of the wood or wood product by a wood-destroying organism, including, without limitation, a fungus or bacterium.
- (8) Cooling towers, biocides and water processes -- The use of antimicrobials and biocides to control bacteria and other single-celled organisms in cooling water, wells and other water processing systems.

(d) Governmental agency:

(1) Agricultural plant -- The control of any pest on or around any agricultural crop, including, without limitation, on or around land used for the production of forage, grain, pasture, seed, row and fruit crops and rangeland, idle cropland and land on which crops are not planted that is associated with the production of agricultural crops, excluding fumigation pest control.

(2) Rangeland and forest -- The control of any pest in rangeland, forest, forest nurseries and forest seed-producing areas, including, without limitation, site preparation, release work, insect control and reforestation projects.

(3) Ornamental, turf, nursery, greenhouse and interior landscape -- The control of any pest in the maintenance and production of ornamental plants and turf or the maintenance of a nursery, greenhouse or interior landscape, including, without limitation, the production and maintenance of ornamental trees, shrubs, flowers, home fruit trees and home vegetable gardens, excluding fumigation pest control.

(4) Seed treatment -- treatment of seeds to control insects, fungi, bacteria and other microorganisms, excluding fumigation pest control.

(5) Aquatic and mosquito -- The control of any pest, including, without limitation, insects, weeds and fish, associated with standing or running water, including, without limitation, reservoirs, lakes, rivers, aquatic cropland and wetland areas, excluding public health pest control.

(6) Right-of-way and weed -- The control of any pest in the course of maintaining a right-of-way, including, without limitation, the treatment of roadsides, utilities, railroads, land on which crops are not planted, fence lines, structural perimeters and similar areas.

(7) General pest control, industrial and institutional -- The control of insect and vertebrate pests in, on or around industrial complexes, institutional complexes and dwelling units.

(8) Wood-destroying insects -- The control of any wood-destroying insect, including, without limitation, termites, in, on or around any structure, including, without limitation, homes, storage sheds and warehouses, excluding fumigation pest control.

(9) Wildlife control -- The application of various substances, including, without limitation, fumigants, for the control of wildlife pests on rangelands, forests, agricultural crops, idle cropland and land on which crops are not planted that is associated with the production of agricultural crops, excluding the control of wildlife pests in, on or around industrial complexes, institutional complexes or dwelling units or predatory pest control.

(10) Fumigation pest control:

(I) Commodity fumigation -- The control of any pest that infests raw agricultural or processed commodities, animal feeds and commodity storage facilities where such commodities are held or stored, including, without limitation, tarpaulin fumigation and fumigation of grain elevators, rail cars, truck trailers, vans, aquatic vessels, air and sea containers, other static sealable enclosures,

food processing plants, prepared bins, warehouses, beehives and other beekeeping equipment.

(II) Rodent burrow fumigation -- Outdoor fumigation for the control of rodents and moles, including, without limitation, marmots, woodchucks, rats, mice, ground squirrels, voles, pocket gophers and chipmunks.

(III) Soil fumigation -- The control of any pest that is present in the soil at the time of treatment, including, without limitation, plant-parasitic nematodes, soil-borne pathogens, weeds and insects.

(11) Regulatory -- The use or supervision of use by an employee of a state or federal governmental agency of pesticides to control pests designated by a federal or state agency as actionable, of quarantine concern or noxious weeds pursuant to a government program.

(12) Sewer line root control -- The control of plant roots in the maintenance of sewers.

(13) Public health -- The control of any pest having medical or public health importance.

(14) Predatory pest control -- The control of any predator in any habitat, including, without limitation, by using an M-44 device.

3. This section must not be construed to prohibit a person or governmental agency or any employee thereof who has obtained the proper license from applying pesticides in a manner not prohibited by law.

4. As used in this section:

(a) "Pesticide classified for general use" has the meaning ascribed to it in NAC 555.610.

(b) "Unmanned aerial vehicle" means a powered aircraft of any size without a human operator aboard the vehicle and that is operated remotely or autonomously.