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States' Unmanned Aerial Vehicle Laws: *Wyoming*



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States' Unmanned Aerial Vehicle Laws: Wyoming

WY ST § 10-1-101

WY ST § 10-3-201

WY ST § 10-3-301

WY ST § 10-4-303

Current through November 23, 2022

WY ST § 10-1-101 Definitions

(a) As used in this act:

- (i) "Aircraft" means any contrivance used, or designed for navigation or flight in the air, except a parachute or other contrivance designed for this navigation but used primarily as safety equipment;
- (ii) "Airman" means any individual, including the individual in command and any pilot, mechanic or member of the crew, who engages in the navigation of aircraft while under way, and any individual who is in charge of the inspection, overhauling or repairing of aircraft;
- (iii) Repealed by Laws 2005, ch. 207, § 2.
- (iv) "Commission" means the Wyoming aeronautics commission;
- (v) "Department" means the department of transportation;
- (vi) "Aeronautics commission" means the aeronautics commission created by W.S. 10-3-101;
- (vii) "Division" means the division of aeronautics within the department of transportation;
- (viii) "Person" means individuals, associations of individuals, firms, partnerships, companies, corporations and other organizations;
- (ix) "Operator" means a person operating or flying an unmanned aircraft;
- (x) "Unmanned aircraft" means as defined in 14 C.F.R. 1.1, but excludes "small unmanned aircraft" as defined in 14 C.F.R. 1.1;
- (xi) "Vertical takeoff and landing aircraft" means a piloted or autonomous aircraft or unmanned aircraft capable of vertical takeoff, vertical landing and transfer to forward motion, excluding rotorcraft;
- (xii) "This act" means W.S. 10-1-101 through 10-7-105.

WY ST § 10-3-201 Powers and Duties Generally

- (a) The commission shall cooperate with:
 - (i) The federal aviation administration;



- (ii) Any existing federal aviation commission;
 - (iii) The cities and counties in Wyoming;
 - (iv) The chambers of commerce, commercial clubs and all aviation and business concerns interested in the development of aeronautics within the state.
- (b) In lieu of the requirements of this subsection, any airport sponsor may directly apply for, receive or disburse federal airport funds, and may also direct all construction and maintenance of the airport. The aeronautics commission may designate the airports to be built and maintained with the assistance of state or federal funds and is the sole authority to determine the disbursement of funds for the state's airports. The aeronautics commission through the department shall be the authority in the state to apply for, or directly accept, receive, receipt for or disburse any funds granted by the United States government for airport construction or maintenance. A county, city, town or joint powers board may enter into an agreement with the division describing the terms and conditions of the agency in accordance with federal laws, rules and regulations and applicable laws of this state. The division may enforce the proper maintenance of these airports by the counties, cities and towns or joint powers boards as agreed in the contracts existing between the sponsors of the airports and the federal government. All construction and maintenance of these airports shall be under the direction of the department.
- (c) The department may offer engineering or other technical advice to any municipality, county, joint powers board or other qualified party in connection with the construction, maintenance or operation of airports. The commission shall encourage:
- (i) Development of private aviation schools;
 - (ii) Interest in private flying and privately-owned planes;
 - (iii) Study of aerospace engineering and allied subjects in the various schools of Wyoming and assist in forming classes in aviation;
 - (iv) Repealed by Laws 2003, ch. 104, § 2.
 - (v) Sponsorship and participation in aerospace education workshops.
- (d) The commission shall establish policies as may be appropriate for the division to implement the decisions of the commission and the aeronautical purposes of this title and for the exercise of duties of the division. The commission shall provide assistance and advice to the director of the department regarding the division's budget. The commission shall nominate candidates for the position of administrator of the division and upon request shall advise the department in regards to appointments within the division.
- (e) The commission shall assist communities in coordinating efforts, facilitating, recruiting and attracting and promoting the development, improvement and retention of commercial air service and accommodating military air service in the state. The assistance may include studying airline, aircraft, unmanned aircraft and vertical takeoff and landing aircraft profitability, route analysis, air fare monitoring and recommendations for legislative changes to enhance air services in the state.



(f) There is created a new position in the office of the governor that shall coordinate with the commission to market and advocate airline service in Wyoming pursuant to subsection (e) of this section. The person appointed by the governor may be an at-will employee or an at-will contract employee and may be removed by the governor as provided in W.S. 9-1-202.

(g) The commission may promulgate reasonable rules, regulations and procedures and establish standards as necessary to carry out the functions of the division.

(h) Repealed by Laws 2008, ch. 44, § 2.

(j) The commission shall promulgate reasonable rules governing where unmanned aircraft or vertical takeoff and landing aircraft may take off and land, giving consideration to public health and safety, aesthetics and the general welfare. Unless otherwise prohibited by or previously provided for in federal law, the commission may also promulgate reasonable rules governing the operation of unmanned aircraft or vertical takeoff and landing aircraft. In promulgating any rules under this subsection, the commission shall coordinate with the appropriate industry in Wyoming and political subdivisions of the state. The commission shall not have the power to regulate unmanned aircraft or vertical takeoff and landing aircraft operation in navigable airspace.

WY ST § 10-3-301 Conducting Investigations and Hearings; Accidents to be Reported

The commission may conduct investigations, inquiries and hearings concerning the laws of this state relating to aeronautics and accidents or injuries incident to the operation of aircraft, including unmanned aircraft or vertical takeoff and landing aircraft, occurring within this state. Members of the commission may administer oaths and affirmations, certify to all official acts, issue subpoenas and compel the attendance and testimony of witnesses and the production of papers, books and documents. All accidents or injuries incident to the operation of aircraft occurring within this state shall be immediately reported to the commission.

WY ST § 10-4-303 Low or Dangerous Flight; Landing on Land or Water of Another

(a) Flight of aircraft, including unmanned aircraft or vertical takeoff and landing aircraft, over the lands and waters of this state is lawful unless it is:

- (i) At such a low altitude as to interfere with the existing use to which the land or water, or the space over the land or water, is put by the owner;
- (ii) Conducted as to be imminently dangerous to persons or property lawfully on the land or water; or
- (iii) In violation of the air commerce regulations promulgated by the department of transportation of the United States.



(b) The landing of an aircraft, including an unmanned aircraft or vertical takeoff and landing aircraft, on the lands or waters of another, without his consent, is unlawful, except in the case of a forced landing. For damages caused by a forced landing, however, the owner, operator or lessee of the aircraft or the airman shall be liable for actual damage caused by the forced landing.

(c) Except as provided in subsection (a) of this section, nothing in this chapter shall be construed to prevent an operator or pilot from operating an aircraft, including an unmanned aircraft or vertical takeoff and landing aircraft, over his own property.

