

REFERENCE TITLE: local regulation; prohibition; unmanned aircraft

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2875

Introduced by
Representative Weninger

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.54; AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-256.31; AMENDING SECTION 13-3729, ARIZONA REVISED STATUTES; RELATING TO UNMANNED AIRCRAFT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes,
3 is amended by adding section 9-500.54, to read:

4 9-500.54. Prohibition on unmanned aircraft regulation;
5 exceptions; definitions

6 A. EXCEPT AS OTHERWISE PROVIDED BY LAW, A CITY OR TOWN MAY NOT
7 ENACT OR ADOPT ANY ORDINANCE, POLICY OR RULE THAT RELATES TO THE OWNERSHIP
8 OR OPERATION OF AN UNMANNED AIRCRAFT OR UNMANNED AIRCRAFT SYSTEM OR
9 OTHERWISE ENGAGE IN REGULATING THE OWNERSHIP OR OPERATION OF AN UNMANNED
10 AIRCRAFT OR UNMANNED AIRCRAFT SYSTEM. ANY ORDINANCE, POLICY OR RULE THAT
11 VIOLATES THIS SUBSECTION, WHETHER ENACTED OR ADOPTED BY THE CITY OR TOWN
12 BEFORE OR AFTER AUGUST 6, 2016, IS VOID.

13 B. THIS SECTION DOES NOT:

14 1. PROHIBIT A CITY OR TOWN FROM ENACTING OR ADOPTING AN ORDINANCE
15 OR RULE ON ANY OF THE FOLLOWING:

16 (a) OPERATING OR USING A PUBLIC UNMANNED AIRCRAFT THAT IS OWNED BY
17 THE CITY OR TOWN.

18 (b) TAKING OFF OR LANDING A MODEL AIRCRAFT IN A PARK OR PRESERVE
19 THAT IS OWNED BY THE CITY OR TOWN IF EITHER OF THE FOLLOWING APPLIES:

20 (i) THERE ARE OTHER PARKS OR PRESERVES THAT ARE WITHIN THE CITY OR
21 TOWN AND THAT ARE AVAILABLE FOR OPERATING MODEL AIRCRAFT.

22 (ii) THE CITY OR TOWN HAS ONLY ONE PARK OR PRESERVE THAT IS WITHIN
23 THE CITY OR TOWN.

24 (c) LAND USE APPROVALS FOR TAKING OFF, DOCKING AND LANDING AN
25 UNMANNED AIRCRAFT SYSTEM IN AN AREA ZONED FOR RESIDENTIAL USE OR WITHIN A
26 ONE HUNDRED FIFTY-FOOT RADIUS OF THE OUTER BOUNDARY OF THE AREA ZONED FOR
27 RESIDENTIAL USE.

28 2. PROHIBIT A CITY OR TOWN FROM REQUIRING OR ENFORCING EXISTING
29 REGULATIONS THAT ARE NOT EXPLICITLY FOR AN UNMANNED AIRCRAFT OR UNMANNED
30 AIRCRAFT SYSTEM.

31 3. ALLOW A CITY OR TOWN TO WITHHOLD ISSUING A PERMIT OR APPROVAL
32 FOR OPERATING, TAKING OFF, DOCKING OR LANDING AN UNMANNED AIRCRAFT OR
33 UNMANNED AIRCRAFT SYSTEM IN AN AREA THAT IS NOT ZONED FOR RESIDENTIAL USE.

34 C. FOR THE PURPOSES OF THIS SECTION:

35 1. "MODEL AIRCRAFT" MEANS AN UNMANNED AIRCRAFT THAT IS:

36 (a) CAPABLE OF SUSTAINED FLIGHT IN THE ATMOSPHERE.

37 (b) FLOWN WITHIN THE VISUAL LINE OF SIGHT OF THE PERSON OPERATING
38 THE MODEL AIRCRAFT.

39 (c) FLOWN FOR HOBBY OR RECREATIONAL PURPOSES.

40 2. "PUBLIC UNMANNED AIRCRAFT" MEANS AN UNMANNED AIRCRAFT OR
41 UNMANNED AIRCRAFT SYSTEM THAT IS OPERATED BY A PUBLIC AGENCY FOR A
42 GOVERNMENT-RELATED PURPOSE.

43 3. "UNMANNED AIRCRAFT" MEANS AN AIRCRAFT, INCLUDING AN AIRCRAFT
44 COMMONLY KNOWN AS A DRONE, THAT IS OPERATED WITHOUT THE POSSIBILITY OF
45 DIRECT HUMAN INTERVENTION FROM WITHIN OR ON THE AIRCRAFT.

1 36-661 while acting in the first responder's official capacity or an
2 emergency worker while engaged in or supporting authorized emergency
3 management activities or performing emergency functions pursuant to title
4 26, chapter 2.

5 ~~F.~~ D. A violation of subsection B of this section is a class 6
6 felony, except that a second or subsequent violation is a class 5 felony.
7 A violation of subsection A of this section is a class 1 misdemeanor.

8 ~~F.~~ E. For the purposes of this section:

9 1. "Civil unmanned aircraft" means an unmanned aircraft or unmanned
10 aircraft system that is operated by a person for any purpose other than
11 strictly for hobby or recreational purposes, including commercial
12 purposes, or in furtherance of or incidental to any business or media
13 service or agency.

14 2. "Commercial purposes" means the use of an unmanned aircraft in
15 return for financial compensation and includes aerial photography, aerial
16 mapping or geospatial imaging.

17 3. "Critical facility" means any of the following:

- 18 (a) A petroleum or alumina refinery.
- 19 (b) A petroleum, chemical or rubber production, transportation,
20 storage or processing facility.
- 21 (c) A chemical manufacturing facility.
- 22 (d) A water or wastewater treatment facility and water development,
23 distribution or conveyance system, including a dam.
- 24 (e) An electric generation facility, as defined in section
25 42-14156, and any associated substation or switchyard.
- 26 (f) An electrical transmission or distribution substation.
- 27 (g) An electrical transmission line of at least sixty-nine thousand
28 volts.
- 29 (h) An electronic communication station or tower.
- 30 (i) An energy control center.
- 31 (j) A distribution operating center.
- 32 (k) A facility that transfers or distributes natural gas, including
33 a compressor station, regulator station, city gate station or pressure
34 limiting station or a liquefied natural gas facility or supplier tap
35 facility.
- 36 (l) Any railroad infrastructure or facility.
- 37 (m) A federal, state, county or municipal court.
- 38 (n) A public safety or emergency operation facility.
- 39 (o) A federal, state, county or municipal jail or prison or other
40 facility in which persons are incarcerated.
- 41 (p) A federal or state military installation or facility.
- 42 (q) A hospital that receives air ambulance services.

43 4. "Model aircraft" ~~has the same meaning prescribed in section 336~~
44 ~~of the FAA modernization and reform act of 2012 (P.L. 112-95), as amended~~
45 **MEANS AN UNMANNED AIRCRAFT THAT IS:**

1 (a) CAPABLE OF SUSTAINED FLIGHT IN THE ATMOSPHERE.

2 (b) FLOWN WITHIN THE VISUAL LINE OF SIGHT OF THE PERSON OPERATING
3 THE MODEL AIRCRAFT.

4 (c) FLOWN FOR HOBBY OR RECREATIONAL PURPOSES.

5 5. "Person" means a corporation, firm, partnership, association,
6 individual or organization or any other group acting as a unit.

7 6. "Public unmanned aircraft" means an unmanned aircraft or
8 unmanned aircraft system that is operated by a public agency for a
9 government-related purpose.

10 7. "Unmanned aircraft" means an aircraft, including an aircraft
11 commonly known as a drone, that is operated without the possibility of
12 direct human intervention from within or on the aircraft.

13 8. "Unmanned aircraft system" means an unmanned aircraft and
14 associated elements, including any communication links and components that
15 control the unmanned aircraft.