

Senate Engrossed House Bill

local regulation; prohibition; unmanned aircraft

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

HOUSE BILL 2875

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, UNMANNED AIRCRAFT SYSTEM OR
9 COMMERCIAL DRONE DELIVERY SYSTEM OR OTHERWISE ENGAGE IN REGULATING THE
10 OWNERSHIP OR OPERATION OF AN UNMANNED AIRCRAFT, UNMANNED AIRCRAFT SYSTEM
11 OR COMMERCIAL DRONE DELIVERY SYSTEM. ANY ORDINANCE, POLICY OR RULE THAT
12 VIOLATES THIS SUBSECTION, WHETHER ENACTED OR ADOPTED BY THE CITY OR TOWN
13 BEFORE OR AFTER AUGUST 6, 2016, IS VOID.

14 B. THIS SECTION DOES NOT:

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

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

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

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

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

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

29 (d) TAKING OFF, DOCKING OR LANDING A COMMERCIAL DRONE DELIVERY
30 SYSTEM FROM A CITY OR TOWN OWNED FACILITY OR PROPERTY.

31 2. PROHIBIT A CITY OR TOWN FROM REQUIRING OR ENFORCING EXISTING
32 REGULATIONS THAT ARE NOT EXPLICITLY FOR AN UNMANNED AIRCRAFT, UNMANNED
33 AIRCRAFT SYSTEM OR A COMMERCIAL DRONE DELIVERY SYSTEM.

34 3. ALLOW A CITY OR TOWN TO WITHHOLD ISSUING A PERMIT OR APPROVAL
35 FOR OPERATING, TAKING OFF, DOCKING OR LANDING AN UNMANNED AIRCRAFT,
36 UNMANNED AIRCRAFT SYSTEM OR A COMMERCIAL DRONE DELIVERY SYSTEM IN AN AREA
37 THAT IS NOT ZONED FOR RESIDENTIAL USE.

38 4. LIMIT A CITY'S OR TOWN'S AUTHORITY TO APPLY AND ENFORCE
39 GENERALLY APPLICABLE ZONING, LAND USE, SITE PLAN, BUILDING, FIRE AND
40 PUBLIC SAFETY REGULATIONS TO THE PHYSICAL LOCATION OF FACILITIES THAT ARE
41 USED FOR TAKING OFF, DOCKING OR LANDING AN UNMANNED AIRCRAFT OR COMMERCIAL
42 DRONE DELIVERY SYSTEM WITHIN TWO AND ONE-HALF MILES OF A SMALL, MEDIUM OR
43 LARGE HUB AIRPORT'S LATITUDE AND LONGITUDE AS RECORDED IN THE FEDERAL
44 AVIATION ADMINISTRATION'S MASTER AIRPORT RECORDS, IF THE REGULATIONS DO
45 NOT GOVERN THE FLIGHT PATH, NAVIGATION OR OPERATION OF THE UNMANNED

1 AIRCRAFT AND DO NOT HAVE THE EFFECT OF PROHIBITING COMMERCIAL DRONE
2 DELIVERY SYSTEMS WITHIN THE JURISDICTION AND IF THE COMMERCIAL DRONE
3 DELIVERY SYSTEM OPERATOR CONSULTS WITH THE AIRPORT REGARDING THE
4 REGULATIONS.

5 C. FOR THE PURPOSES OF THIS SECTION:

6 1. "COMMERCIAL DRONE DELIVERY SYSTEM" MEANS AN UNMANNED AIRCRAFT
7 SYSTEM ENGAGED IN THE DELIVERING OF GOODS VIA DRONE AND IS APPROVED TO
8 OPERATE FOR THAT PURPOSE BY THE FEDERAL AVIATION ADMINISTRATION.

9 2. "MODEL AIRCRAFT" MEANS AN UNMANNED AIRCRAFT THAT IS:

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

11 (b) FLOWN WITHIN THE VISUAL LINE OF SIGHT OF THE PERSON OPERATING
12 THE MODEL AIRCRAFT.

13 (c) FLOWN FOR HOBBY OR RECREATIONAL PURPOSES.

14 3. "PUBLIC UNMANNED AIRCRAFT" MEANS AN UNMANNED AIRCRAFT OR
15 UNMANNED AIRCRAFT SYSTEM THAT IS OPERATED BY A PUBLIC AGENCY FOR A
16 GOVERNMENT-RELATED PURPOSE.

17 4. "UNMANNED AIRCRAFT" MEANS AN AIRCRAFT, INCLUDING AN AIRCRAFT
18 COMMONLY KNOWN AS A DRONE, THAT IS OPERATED WITHOUT THE POSSIBILITY OF
19 DIRECT HUMAN INTERVENTION FROM WITHIN OR ON THE AIRCRAFT.

20 5. "UNMANNED AIRCRAFT SYSTEM" MEANS AN UNMANNED AIRCRAFT AND
21 ASSOCIATED ELEMENTS, INCLUDING ANY COMMUNICATION LINKS AND COMPONENTS THAT
22 CONTROL THE UNMANNED AIRCRAFT.

23 Sec. 2. Title 11, chapter 2, article 4, Arizona Revised Statutes,
24 is amended by adding section 11-256.31, to read:

25 11-256.31. Prohibition on unmanned aircraft; exceptions;
26 definitions

27 A. EXCEPT AS OTHERWISE PROVIDED BY LAW, A COUNTY MAY NOT ENACT OR
28 ADOPT ANY ORDINANCE, POLICY OR RULE THAT RELATES TO THE OWNERSHIP OR
29 OPERATION OF AN UNMANNED AIRCRAFT, UNMANNED AIRCRAFT SYSTEM OR COMMERCIAL
30 DRONE DELIVERY SYSTEM OR OTHERWISE ENGAGE IN REGULATING THE OWNERSHIP OR
31 OPERATION OF AN UNMANNED AIRCRAFT, AN UNMANNED AIRCRAFT SYSTEM OR
32 COMMERCIAL DRONE DELIVERY SYSTEM. ANY ORDINANCE, POLICY OR RULE THAT
33 VIOLATES THIS SUBSECTION, WHETHER ENACTED OR ADOPTED BY THE COUNTY BEFORE
34 OR AFTER AUGUST 6, 2016, IS VOID.

35 B. THIS SECTION DOES NOT:

36 1. PROHIBIT A COUNTY FROM ENACTING OR ADOPTING AN ORDINANCE OR RULE
37 ON ANY OF THE FOLLOWING:

38 (a) OPERATING OR USING A PUBLIC UNMANNED AIRCRAFT THAT IS OWNED BY
39 THE COUNTY.

40 (b) TAKING OFF OR LANDING A MODEL AIRCRAFT IN A PARK OR PRESERVE
41 THAT IS OWNED BY THE COUNTY IF EITHER OF THE FOLLOWING APPLIES:

42 (i) THERE ARE OTHER PARKS OR PRESERVES THAT ARE WITHIN THE COUNTY
43 AND THAT ARE AVAILABLE FOR OPERATING MODEL AIRCRAFT.

44 (ii) THE COUNTY HAS ONLY ONE PARK OR PRESERVE THAT IS WITHIN THE
45 COUNTY.

1 (c) LAND USE APPROVALS FOR TAKING OFF, DOCKING AND LANDING A
2 COMMERCIAL DRONE DELIVERY SYSTEM IN AN AREA ZONED FOR RESIDENTIAL USE OR
3 WITHIN A ONE HUNDRED FIFTY-FOOT RADIUS OF THE OUTER BOUNDARY OF THE AREA
4 ZONED FOR RESIDENTIAL USE.

5 (d) TAKING OFF, DOCKING OR LANDING A COMMERCIAL DRONE DELIVERY
6 SYSTEM FROM A COUNTY OWNED FACILITY OR PROPERTY.

7 2. PROHIBIT A COUNTY FROM REQUIRING OR ENFORCING EXISTING
8 REGULATIONS THAT ARE NOT EXPLICITLY FOR AN UNMANNED AIRCRAFT, UNMANNED
9 AIRCRAFT SYSTEM OR A COMMERCIAL DRONE DELIVERY SYSTEM.

10 3. ALLOW A COUNTY TO WITHHOLD ISSUING A PERMIT OR APPROVAL FOR
11 OPERATING, TAKING OFF, DOCKING OR LANDING AN UNMANNED AIRCRAFT, UNMANNED
12 AIRCRAFT SYSTEM OR A COMMERCIAL DRONE DELIVERY SYSTEM IN AN AREA THAT IS
13 NOT ZONED FOR RESIDENTIAL USE.

14 4. LIMIT A COUNTY'S AUTHORITY TO APPLY AND ENFORCE GENERALLY
15 APPLICABLE ZONING, LAND USE, SITE PLAN, BUILDING, FIRE AND PUBLIC SAFETY
16 REGULATIONS TO THE PHYSICAL LOCATION OF FACILITIES THAT ARE USED FOR
17 TAKING OFF, DOCKING OR LANDING AN UNMANNED AIRCRAFT OR COMMERCIAL DRONE
18 DELIVERY SYSTEM WITHIN TWO AND ONE-HALF MILES OF A SMALL, MEDIUM OR LARGE
19 HUB AIRPORT'S LATITUDE AND LONGITUDE AS RECORDED IN THE FEDERAL AVIATION
20 ADMINISTRATION'S MASTER AIRPORT RECORDS, IF THE REGULATIONS DO NOT GOVERN
21 THE FLIGHT PATH, NAVIGATION OR OPERATION OF THE UNMANNED AIRCRAFT AND DO
22 NOT HAVE THE EFFECT OF PROHIBITING COMMERCIAL DRONE DELIVERY SYSTEMS
23 WITHIN THE JURISDICTION AND IF THE COMMERCIAL DRONE DELIVERY SYSTEM
24 OPERATOR CONSULTS WITH THE AIRPORT REGARDING THE REGULATIONS.

25 C. FOR THE PURPOSES OF THIS SECTION:

26 1. "COMMERCIAL DRONE DELIVERY SYSTEM" MEANS AN UNMANNED AIRCRAFT
27 SYSTEM ENGAGED IN THE DELIVERING OF GOODS VIA DRONE AND IS APPROVED TO
28 OPERATE FOR THAT PURPOSE BY THE FEDERAL AVIATION ADMINISTRATION.

29 2. "MODEL AIRCRAFT" MEANS AN UNMANNED AIRCRAFT THAT IS:

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

31 (b) FLOWN WITHIN THE VISUAL LINE OF SIGHT OF THE PERSON OPERATING
32 THE MODEL AIRCRAFT.

33 (c) FLOWN FOR HOBBY OR RECREATIONAL PURPOSES.

34 3. "PUBLIC UNMANNED AIRCRAFT" MEANS AN UNMANNED AIRCRAFT OR
35 UNMANNED AIRCRAFT SYSTEM THAT IS OPERATED BY A PUBLIC AGENCY FOR A
36 GOVERNMENT-RELATED PURPOSE.

37 4. "UNMANNED AIRCRAFT" MEANS AN AIRCRAFT, INCLUDING AN AIRCRAFT
38 COMMONLY KNOWN AS A DRONE, THAT IS OPERATED WITHOUT THE POSSIBILITY OF
39 DIRECT HUMAN INTERVENTION FROM WITHIN OR ON THE AIRCRAFT.

40 5. "UNMANNED AIRCRAFT SYSTEM" MEANS AN UNMANNED AIRCRAFT AND
41 ASSOCIATED ELEMENTS, INCLUDING ANY COMMUNICATION LINKS AND COMPONENTS THAT
42 CONTROL THE UNMANNED AIRCRAFT.

1 Sec. 3. Section 13-3729, Arizona Revised Statutes, is amended to
2 read:

3 13-3729. Unlawful operation of model or unmanned aircraft;
4 state preemption; classification; definitions

5 A. It is unlawful for a person to operate a model aircraft or a
6 civil unmanned aircraft if the operation:

7 1. Is prohibited by a federal law or regulation that governs
8 aeronautics, including federal aviation administration regulations.

9 2. Interferes with a law enforcement, firefighter or emergency
10 services operation.

11 B. It is unlawful for a person to operate or use an unmanned
12 aircraft or unmanned aircraft system to intentionally photograph or loiter
13 over or near a critical facility in the furtherance of any criminal
14 offense.

15 ~~C. Except as authorized by law, a city, town or county may not~~
16 ~~enact or adopt any ordinance, policy or rule that relates to the ownership~~
17 ~~or operation of an unmanned aircraft or unmanned aircraft system or~~
18 ~~otherwise engage in the regulation of the ownership or operation of an~~
19 ~~unmanned aircraft or an unmanned aircraft system. Any ordinance, policy or~~
20 ~~rule that violates this subsection, whether enacted or adopted by the~~
21 ~~city, town or county before or after August 6, 2016, is void.~~

22 ~~D.~~ C. This section does not:

23 1. Apply to a person or entity that is authorized or allowed by the
24 federal aviation administration to operate or use an unmanned aircraft
25 system if the person's or entity's operation or use complies with the
26 authorization granted to the person or entity or with federal aviation
27 administration rules.

28 ~~2. Prohibit a city, town or county from enacting or adopting~~
29 ~~ordinances or rules on the operation or use of a public unmanned aircraft~~
30 ~~that is owned by the city, town or county.~~

31 ~~3. Prohibit a city, town or county from enacting or adopting~~
32 ~~ordinances or rules that regulate the takeoff or landing of a model~~
33 ~~aircraft in a park or preserve owned by the city, town or county if:~~

34 ~~(a) There are other parks or preserves that are within the city,~~
35 ~~town or county and that are available for model aircraft operation.~~

36 ~~(b) The city, town or county only has one park or preserve that is~~
37 ~~within the city, town or county.~~

38 ~~4.~~ 2. Apply to the operation of an unmanned aircraft, including a
39 public unmanned aircraft, by a first responder as defined in section
40 36-661 while acting in the first responder's official capacity or an
41 emergency worker while engaged in or supporting authorized emergency
42 management activities or performing emergency functions pursuant to title
43 26, chapter 2.

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

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

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

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

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

14 (a) A petroleum or alumina refinery.

15 (b) A petroleum, chemical or rubber production, transportation,
16 storage or processing facility.

17 (c) A chemical manufacturing facility.

18 (d) A water or wastewater treatment facility and water development,
19 distribution or conveyance system, including a dam.

20 (e) An electric generation facility, as defined in section
21 42-14156, and any associated substation or switchyard.

22 (f) An electrical transmission or distribution substation.

23 (g) An electrical transmission line of at least sixty-nine thousand
24 volts.

25 (h) An electronic communication station or tower.

26 (i) An energy control center.

27 (j) A distribution operating center.

28 (k) A facility that transfers or distributes natural gas, including
29 a compressor station, regulator station, city gate station or pressure
30 limiting station or a liquefied natural gas facility or supplier tap
31 facility.

32 (l) Any railroad infrastructure or facility.

33 (m) A federal, state, county or municipal court.

34 (n) A public safety or emergency operation facility.

35 (o) A federal, state, county or municipal jail or prison or other
36 facility in which persons are incarcerated.

37 (p) A federal or state military installation or facility.

38 (q) A hospital that receives air ambulance services.

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

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

43 (b) FLOWN WITHIN THE VISUAL LINE OF SIGHT OF THE PERSON OPERATING
44 THE MODEL AIRCRAFT.

45 (c) FLOWN FOR HOBBY OR RECREATIONAL PURPOSES.

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

3 6. "Public unmanned aircraft" means an unmanned aircraft or
4 unmanned aircraft system that is operated by a public agency for a
5 government-related purpose.

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

9 8. "Unmanned aircraft system" means an unmanned aircraft and
10 associated elements, including any communication links and components that
11 control the unmanned aircraft.