

118TH CONGRESS  
1ST SESSION

# H. R. 1192

To amend title 49, United States Code, to permit the operation of actively tethered unmanned aircraft systems by all first responders, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 2023

Mr. NEHLS (for himself, Mr. STANTON, and Mr. WILLIAMS of New York) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to permit the operation of actively tethered unmanned aircraft systems by all first responders, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “First Responders Aer-  
5 ial Act of 2023”.

6 **SEC. 2. DEFINITION OF ACTIVELY TETHERED UNMANNED**  
7 **AIRCRAFT SYSTEMS.**

8 Section 44801(1) of title 49, United States Code, is  
9 amended—

1 (1) in subparagraph (B) by striking “and” at  
2 the end;

3 (2) in subparagraph (C) by striking the period  
4 at the end and inserting a semicolon; and

5 (3) by adding at the end the following:

6 “(D) has redundant flight functionality  
7 which permits the unmanned aircraft compo-  
8 nent to maintain normal flight control in the  
9 event that a rotor or flight mechanism fails  
10 during flight; and

11 “(E) is programed to initiate a controlled  
12 landing in the event of a tether separation.”.

13 **SEC. 3. OPERATION OF PUBLIC ACTIVELY TETHERED UN-**  
14 **MANNED AIRCRAFT SYSTEMS.**

15 (a) IN GENERAL.—Section 44806(c) of title 49,  
16 United States Code, is amended—

17 (1) in paragraph (1)(B)—

18 (A) in clause (i) by striking “or” at the  
19 end;

20 (B) in clause (ii) by inserting “or” at the  
21 end; and

22 (C) by adding at the end the following:

23 “(iii) in an emergency response situa-  
24 tion—

1                   “(I) at least a 0.25 mile radius  
2                   away from an airport, if such systems  
3                   are not operating in the approach or  
4                   departure flight path for a runway at  
5                   such airport;

6                   “(II) at least a 0.5 mile radius  
7                   away from an airport, if such systems  
8                   are operating in the approach or de-  
9                   parture flight path for a runway at an  
10                  airport; or

11                  “(III) with approval of air traffic  
12                  control personnel for an airport if  
13                  such systems are operating closer to  
14                  an airport than permitted under sub-  
15                  clauses (I) and (II);”;

16                  (2) by adding at the end the following:

17                  “(5) DEFINITIONS.—In this subsection:

18                         “(A) EMERGENCY RESPONSE SITUA-  
19                         TION.—The term ‘emergency response situa-  
20                         tion’ means any situation that requires a re-  
21                         sponse by an emergency service organization.

22                         “(B) EMERGENCY SERVICE ORGANIZA-  
23                         TION.—The term ‘emergency service organiza-  
24                         tion’ means any entity, including an entity con-  
25                         tracting with a State or local government, that

1 provides emergency services or training for  
2 emergency service providers, including—

3 “(i) a fire department;

4 “(ii) a police department;

5 “(iii) a search and rescue organiza-  
6 tion; and

7 “(iv) a public safety organization.

8 “(C) PUBLIC ACTIVELY TETHERED UN-  
9 MANNED AIRCRAFT SYSTEM.—The term ‘public  
10 actively tethered unmanned aircraft system’  
11 means an actively tethered unmanned aircraft  
12 system that is—

13 “(i) a public unmanned aircraft sys-  
14 tem; and

15 “(ii) operated by an emergency service  
16 organization.”.

17 (b) AGENCY GUIDANCE.—Not later than 90 days  
18 after the date of enactment of this Act, the Administrator  
19 of the Federal Aviation Administration shall issue guid-  
20 ance on the implementation of the amendments made by  
21 this section.

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