

BILL ANALYSIS

H.B. 3238
By: Nevárez
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties have expressed concern that efforts by local governments to regulate the use of unmanned aircraft have resulted in the need for greater consistency in the law on this issue. H.B. 3238 seeks to set out consistent provisions relating to the regulation of unmanned aircraft by a political subdivision.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3238 amends the Transportation Code to prohibit a political subdivision, including a county, a joint airport board, and a municipality, from adopting or enforcing any ordinance, order, or other similar measure regarding the ownership or operation of an unmanned aircraft, except for an ordinance, order, or other similar measure regarding the political subdivision's use of an unmanned aircraft or regarding the use of an unmanned aircraft near a facility or infrastructure owned by the political subdivision if the political subdivision applies for and receives authorization from the Federal Aviation Administration to adopt the regulation and, after providing reasonable notice, holds a public hearing on the political subdivision's intent to apply for the authorization. The bill makes void and unenforceable any other ordinance, order, or other similar measure that violates the bill's prohibition.

EFFECTIVE DATE

September 1, 2017.