

ASSEMBLY BILL NO. 439—ASSEMBLYMEMBER COLE

MARCH 17, 2025

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions concerning the purchase or acquisition of certain unmanned aerial vehicles or other related equipment and services under certain circumstances. (BDR 44-896)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted, matter in ***bold italics and double underlined*** is new material from this amendment, matter between double brackets struck through ~~omitted material~~ is material to be omitted from this amendment.

AN ACT relating to unmanned aerial vehicles; revising provisions concerning the purchase or acquisition of certain unmanned aerial vehicles or other related equipment or services under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law, in relevant part, requires the Department of Public Safety to adopt regulations to establish a list of countries, businesses and entities from which a public agency or law enforcement agency is prohibited from purchasing or acquiring any unmanned aerial vehicle or other equipment or service relating to the operation of an unmanned aerial vehicle. (NRS 493.118) This bill provides that a public agency or law enforcement agency may purchase or acquire any unmanned aerial vehicle or other equipment or service relating to the operation of an unmanned aerial vehicle from a business or entity that would otherwise be contained on the list if: (1) any photograph, image, recording or other information collected by the business or entity is stored and maintained exclusively within the United States and is not accessible to certain third parties; (2) before the purchase or acquisition, the Department determines that the business or entity complies with the information storage and access requirements; and (3) the purchase or acquisition complies with federal law.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 493.118 is hereby amended to read as follows:

493.118 1. The Department shall, to the extent that money is available for this purpose, establish and maintain a registry of unmanned aerial vehicles that are operated by public agencies in this State. The Department shall include on its Internet website the information that is maintained in the registry.

2. A public agency shall, for each unmanned aerial vehicle the public agency intends to operate, submit to the Department, on a form provided by the Department, for inclusion in the registry:

(a) The name of the public agency;

(b) The name and contact information of each operator of the unmanned aerial vehicle;

(c) Sufficient information to identify the unmanned aerial vehicle; and

(d) A statement describing the use of the unmanned aerial vehicle by the public agency.

3. The Department shall, on or before February 1 of each year, prepare and submit to the Director of the Legislative Counsel Bureau for submission to the Legislature, or to the Legislative Commission when the Legislature is not in regular session, a report outlining the activities of public agencies with respect to the operation of unmanned aerial vehicles in this State.

4. The Department shall adopt regulations prescribing the public purposes for which a public agency may operate an unmanned aerial vehicle that is registered with the Department pursuant to this section, including, without limitation:

(a) The provision of fire services.

(b) The provision of emergency medical services.

(c) The protection of a critical facility that is public property.

(d) Search and rescue operations conducted for persons and property in distress.

5. The regulations adopted by the Department pursuant to subsection 4 must include provisions that:

(a) Authorize, as a public purpose, a public agency to operate an unmanned aerial vehicle that is registered with the Department in order to conduct a scheduled inspection to ensure compliance with building or fire codes or laws, ordinances, regulations or rules adopting or establishing building or fire codes that are enforced by the public agency.

(b) Prohibit a public agency from collecting any photograph, image or recording through the operation of an unmanned aerial vehicle during a scheduled inspection described in paragraph (a). If

any photograph, image or recording is collected in violation of such a regulation or if any other information is collected through the operation of an unmanned aerial vehicle during such a scheduled inspection, the photograph, image, recording or other information:

(1) Is not admissible and must not be disclosed in any judicial, administrative or other adjudicatory proceeding other than a proceeding relating to the purpose of the scheduled inspection; and

(2) May not be used to establish reasonable suspicion or probable cause as the basis for the investigation or prosecution of a crime or other offense.

6. In addition to the regulations adopted pursuant to subsection 4, the Department shall adopt regulations to establish:

(a) A list of countries, businesses and entities from which a public agency or law enforcement agency, *except as otherwise provided in subsection 8*, shall not purchase or acquire any unmanned aerial vehicle or other equipment or service relating to the operation of an unmanned aerial vehicle; and

(b) A list of unmanned aerial vehicles and other related equipment or services that a public agency or law enforcement agency shall not operate, purchase or acquire.

7. The lists established pursuant to subsection 6 must include :
~~[-, without limitation:-]~~

(a) Any ~~[-country,-]~~ business or entity identified by the Secretary of Defense of the United States Department of Defense pursuant to Section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Public Law 116-283, any amendments thereto or any subsequent federal law establishing such a list;

(b) Any unmanned aerial vehicle or other equipment or service relating to the operation of an unmanned aerial vehicle sold, manufactured or distributed by an entity identified by the Secretary of Defense of the United States Department of Defense pursuant to Section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Public Law 116-283, any amendments thereto or any subsequent federal law establishing such a list;

(c) Any hardware, software, vendor or service prohibited from being used by a state agency in Nevada by a regulation, guideline or policy adopted by the Office of the Chief Information Officer within the Office of the Governor pursuant to NRS 242.111 and 242.115; and

(d) Any other unmanned aerial vehicle or other equipment or service relating to the operation of an unmanned aerial vehicle, as determined by the Department.

1 8. A public agency or law enforcement agency may purchase
2 or acquire any unmanned aerial vehicle or other equipment or
3 service relating to the operation of an unmanned aerial vehicle
4 from a business or entity that is identified on the list established
5 pursuant to paragraph (a) of subsection 6 if:

6 (a) Any photograph, image, recording or other information
7 collected by the business or entity from the purchase, acquisition
8 or operation of the unmanned aerial vehicle or other equipment or
9 service relating to the operation of the unmanned aerial vehicle:

10 (1) Is stored and maintained exclusively within the United
11 States; and

12 (2) Is not accessible to any third party;

13 (b) Before the purchase or acquisition of the unmanned aerial
14 vehicle or other equipment or service relating to the operation of
15 the unmanned aerial vehicle, the ~~Department~~ public agency or
16 law enforcement agency has determined that
17 the policies of the business or entity comply with paragraph (a);
18 and

19 (c) The purchase or acquisition complies with all requirements
20 of federal law, including, without limitation, any restrictions on
21 the use of federal funds.

22 9. The provisions of subsection 8 shall not be construed to
23 discourage the purchase or acquisition of any unmanned aerial
24 vehicle or other equipment or service relating to the operation of
25 an unmanned aerial vehicle that is manufactured in the United
26 States. To the extent authorized by chapter 332 or 333 of NRS, a
27 public agency or law enforcement agency is encouraged to
28 prioritize the purchase or acquisition of any unmanned aerial
29 vehicle or other equipment or service related to the operation of an
30 unmanned aerial vehicle that is manufactured in the United
31 States.

32 10. As used in this section, "third party" includes, without
33 limitation, a person that is domiciled in a foreign country or has
34 its principal place of business in, or is organized under the laws of,
35 a foreign country. The term does not include a governmental
36 entity of the United States.

37 11. This bill shall take effect on July 1, 2025.