

## S 635

### Drone Aircraft Privacy and Transparency Act of 2015

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Transportation and Public Works

**Introduced:** Mar 3, 2015

**Current Status:** Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 114-635.

**Latest Action:** Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 114-635. (Mar 10, 2016)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/635>

### Sponsor

**Name:** Sen. Markey, Edward J. [D-MA]

**Party:** Democratic • **State:** MA • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Mar 3, 2015
Small Business and Entrepreneurship Committee	Senate	Hearings By (full committee)	Mar 10, 2016

### Subjects & Policy Tags

#### Policy Area:

Transportation and Public Works

### Related Bills

Bill	Relationship	Last Action
114 HR 1229	Related bill	<b>Mar 6, 2015:</b> Referred to the Subcommittee on Commerce, Manufacturing, and Trade.

## **Drone Aircraft Privacy and Transparency Act of 2015**

Amends the FAA Modernization and Reform Act of 2012 to direct the Secretary of Transportation to study and identify any potential threats to privacy protections posed by the integration of unmanned aircraft (drone) systems into the national airspace system, including any potential violations of privacy principles.

Directs the Secretary to establish certain procedures to allow for civil operation in the national airspace system of small drone systems that do not meet expedited operational authorization requirements. Requires such procedures to ensure that the integration of drone systems into the national airspace system is done in compliance with privacy principles.

Prohibits the Secretary from approving, issuing, or awarding any certificate, license, or other grant of authority to operate a drone system in the national airspace system unless the application for it includes a data collection statement, meeting certain requirements, that provides reasonable assurance that the applicant will operate the drone system in accordance with privacy principles. Applies the same privacy principles requirement to any drone system to be operated by a law enforcement agency or a law enforcement agency contractor or subcontractor, except that the application for it shall include a data minimization statement, meeting certain requirements, instead of a data collection statement.

Directs the Administrator of the Federal Aviation Administration (FAA) to make any approved certificate, license, or other grant of authority, plus other specified information, available in a searchable format on the public FAA website.

Prohibits a governmental entity from using a drone system, or requesting information or data collected by another entity through use of a drone system, for protective activities, or for law enforcement or intelligence purposes, except pursuant to a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a state court, issued using state warrant procedures) by a court of competent jurisdiction, or as permitted under the Foreign Intelligence Surveillance Act of 1978. Makes an exception to this prohibition in exigent circumstances when a law enforcement entity reasonably believes there is: (1) an imminent danger of death or serious physical injury; or (2) a high risk of an imminent terrorist attack by a specific individual or organization, according to the Secretary of Homeland Security .

Makes it unlawful to operate a drone system in a manner that is not in accordance with the terms of a data collection statement or in a manner violating any portion of the final rule for the procedures for civil operation of small drone systems required by this Act. Grants enforcement authority to the Federal Trade Commission .

Authorizes a state to bring a civil action on behalf of state residents in state or U.S. district court for injunctive relief against violations of this Act or related regulations if the state attorney general has reason to believe that an interest of state residents has been or is threatened or adversely affected by a prohibited act or practice.

Creates a private right of action in state or U.S. district court for persons injured by a prohibited act.

Allows a suit against a governmental entity.

Requires the FAA to revoke the certificate, license, or other grant of authority to operate a drone system operated in a prohibited manner.

Declares that nothing in this Act may be construed to apply to model aircraft flown strictly for hobby or recreational purposes and meeting certain other criteria.

## Actions Timeline

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- **Mar 10, 2016:** Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 114-635.
- **Mar 3, 2015:** Introduced in Senate
- **Mar 3, 2015:** Read twice and referred to the Committee on Commerce, Science, and Transportation.