

AMENDMENT TO H.R. _____
OFFERED BY MR. LIPINSKI OF ILLINOIS

At the end of subtitle B of title IV, add the following:

1 SEC. ____ . EMERGENCY EXEMPTION PROCESS.

2 (a) GUIDANCE REQUIREMENTS.—Section 2207 of the
3 FAA Extension, Safety, and Security Act of 2016 (49
4 U.S.C. 40101 note) is amended by adding at the end the
5 following:

6 “(d) FEASIBILITY OF OPERATIONS.—The safety re-
7 quirements specified under subsection (b)(1) shall ensure
8 that, in carrying out emergency response and infrastruc-
9 ture restoration responsibilities, applicants are permitted
10 to conduct, to the maximum extent feasible, necessary op-
11 erations beyond the visual line of sight, at night, and over
12 people, subject to such reasonable conditions and limita-
13 tions as the Administrator may impose in the interest of
14 safety.

15 “(e) ROLE OF LOCAL GOVERNMENTS.—The proce-
16 dures specified under subsection (b)(2) shall ensure that,
17 with respect to a catastrophe, disaster, or other emergency
18 for which there is not an incident commander, an appli-
19 cant authorized by the Administrator to conduct oper-

1 ations in connection with the catastrophe, disaster, or
2 other emergency—

3 “(1) provides notice of the operations to appro-
4 priate local governments; but

5 “(2) is not required to receive the approval of
6 any local government in connection with the oper-
7 ations.

8 “(f) **INFRASTRUCTURE RESTORATION DEFINED.**—In
9 this section, the term ‘infrastructure restoration’ includes
10 operations in support of prompt restoration of communica-
11 tions and energy facilities, inspection of destroyed or dam-
12 aged property, and the expeditious processing, adjust-
13 ment, and payment of insurance claims.”.

14 (b) **REVISION OF GUIDANCE.**—The Administrator of
15 the Federal Aviation Administration shall modify guidance
16 issued under section 2207 of the FAA Extension, Safety,
17 and Security Act of 2016 (49 U.S.C. 40101 note) as nec-
18 essary to carry out the amendments made by this section.

19 **SEC. ____ . APPLICATIONS TO RESTRICT UAS OPERATIONS**
20 **NEAR FIXED SITE FACILITIES.**

21 (a) **NOTICE AND COMMENT.**—Section 2209(b)(1) of
22 the FAA Extension, Safety, and Security Act of 2016 (49
23 U.S.C. 40101 note) is amended by adding at the end the
24 following:

25 “(D) **NOTICE AND COMMENT.**—

1 “(i) IN GENERAL.—The procedures
2 shall provide for notice and an opportunity
3 for public comment in connection with ap-
4 plications received under subsection (a).

5 “(ii) SPECIFIC REQUIREMENTS.—In
6 carrying out this subparagraph, the Ad-
7 ministrator shall—

8 “(I) provide public notice of the
9 Administrator’s intent to approve an
10 application received under subsection
11 (a);

12 “(II) solicit public comments in
13 connection with the application; and

14 “(III) consider any public com-
15 ments received in determining whether
16 to approve the application and what
17 limitations should be imposed as part
18 of the designation.”.

19 (b) STANDARDS FOR OUTLINING BOUNDARIES.—
20 Section 2209(b)(2) of the FAA Extension, Safety, and Se-
21 curity Act of 2016 (49 U.S.C. 40101 note) is amended
22 by adding at the end the following:

23 “(E) STANDARDS FOR OUTLINING BOUND-
24 ARIES.—A boundary outlined under subpara-
25 graph (B)—

1 “(i) shall be no more expansive than
2 necessary; and

3 “(ii) may be limited in duration if
4 there are times when the restriction is not
5 necessary.”.

6 (c) EFFECT ON OTHER LAWS.—Section 2209 of the
7 FAA Extension, Safety, and Security Act of 2016 (49
8 U.S.C. 40101 note) is amended by adding at the end the
9 following:

10 “(e) EFFECT ON OTHER LAWS.—No State or polit-
11 ical subdivision of a State may enact or enforce a prohibi-
12 tion or restriction on unmanned aircraft system operations
13 covered by a designation under this section unless the pro-
14 hibition or restriction is approved by the Administrator.”.

