



# CITY OF LONG BEACH

POLICE DEPARTMENT  
400 WEST BROADWAY LONG BEACH CALIFORNIA 90802

# R-24

Robert G. Luna  
Chief of Police

October 20, 2015

## RECOMMENDATION:

Request the City Attorney to draft an Ordinance regulating Unmanned Aircraft Systems (UAS) use by designating specific locations where members of the public may safely pilot UAS and create comprehensive standards by which commercially flown drones may operate in the City of Long Beach. (Citywide)

## DISCUSSION

The popularity and availability of Unmanned Aircraft Systems (UAS) continues to increase throughout the United States; the City of Long Beach is no exception. As staff from various departments increasingly interface with UAS operators within the City, and based on the impact of increasing UAS activity on public safety, the Police Department (PD) requests City Council action to regulate UAS flights within the City.

UAS is a comprehensive term used to describe: 1) an Unmanned Aircraft (UA), commonly referred to as a drone; and 2) the equipment necessary to take the UA airborne including, but not limited to, a ground control station and launching system. Many UA are equipped with mounted cameras that provide real-time video feed to the operator and can easily surpass 500 feet in altitude. The UA may be either gas- or electric-driven and is controlled by a remote control or similar device in the possession of an operator.

The UA operator has the ability to control the aircraft without visual contact, which puts the safety of the public and property at risk. While the commercial use of UAS is limited to fewer than 800 companies licensed by the Federal Aviation Administration (FAA), the recreational use of UAS generally does not require FAA approval.

Existing federal law requires the FAA to develop and implement operational and certification requirements for public UAS in the National Airspace System. While these regulations remain under development, a number of State laws have been proposed; however, currently there are no specific laws in California that cover the misuse, negligent use or restriction of UAS flights. During the most recent California legislative session, eight bills were introduced to regulate and control UAS. Three of the eight bills advanced through the entire legislative process, but were vetoed by the Governor. The remaining five bills failed to gain sufficient legislative support and the committee hearings for those bills were cancelled. As a result, no new California regulations pertaining to UAS were adopted in 2015. The State Legislature reconvenes in January 2015 and could potentially consider new regulations at that time.

At the federal level, the FAA released draft regulations for small UAS use in February 2015. Public comment was solicited and the FAA received 4,500 responses. The agency has since missed the congressionally directed deadline of September 30, 2015 to produce final UAS regulations. A new deadline has not been set, but the agency is striving to release final regulations by spring 2016.

Recreational UAS use is prominent, yet unregulated in Long Beach, and commercial use of UAS is rapidly increasing. At this time, a UA operator has the ability to launch, fly, and land the UA at any time and place in the City without limitation. Both hobbyists and commercial operators frequently fly within the same airspace utilized by passenger planes and helicopters, and over highly populated places and events. To ensure the public's safety, it is imperative that the use of UAS by hobbyists are restricted to fixed locations within the City, and a registration and a notification process is created for federally licensed commercial operators.

Some California cities have banned UAS entirely, while others are developing various regulations on location and use. The PD and City Attorney's Office have met with representatives from the City and County of Los Angeles, neighboring cities, and various federal agencies operating in the surrounding jurisdiction to discuss the public safety hazard and potential solutions.

The identification of safe geographic UAS operational locations will assist City staff to safeguard the public, while still permitting UAS use by hobbyists in the City. Moreover, developing a registration and notification process for commercial operators will ensure compliance with City permitting procedures and significantly reduce hazardous air traffic. The ordinance will take into account those UAS that are used for media or commercial filming purposes that are licensed or permitted to operate.

The PD will work with the City Attorney's Office, other City departments, and bureaus including Airport, Fire, Parks, Recreation, and Marine, and Special Events, as well as community groups and operators to develop an ordinance to realize these objectives.

This matter was reviewed by Deputy City Attorney Kendra Carney on October 8, 2015, and by Budget Management Officer Victoria Bell on September 25, 2015.

#### TIMING CONSIDERATIONS

City Council action on this matter is requested on October 20, 2015, to ensure an Ordinance is drafted for consideration to help safeguard the public.

#### FISCAL IMPACT

There is no fiscal or local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ROBERT G. LUNA  
CHIEF OF POLICE

APPROVED:



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PATRICK H. WEST  
CITY MANAGER