

SENATE BILL NO. 11—COMMITTEE ON  
GROWTH AND INFRASTRUCTURE

(ON BEHALF OF THE NEVADA LEAGUE OF  
CITIES AND MUNICIPALITIES)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Growth and Infrastructure

SUMMARY—Requires the Department of Public Safety to adopt certain regulations relating to unmanned aerial vehicles. (BDR 44-370)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to unmanned aerial vehicles; requiring the Department of Public Safety to adopt certain regulations relating to unmanned aerial vehicles; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law governs the usage of unmanned aerial vehicles by the State and its  
2 political subdivisions and private citizens. (NRS 493.103-493.118) A public agency  
3 other than a law enforcement agency may, for specified public purposes prescribed  
4 in regulations adopted by the Department of Public Safety, employ an unmanned  
5 aerial vehicle that has been registered with the Department. (NRS 493.118; NAC  
6 493.100) **Section 1.9** of this bill requires the Department to adopt regulations to  
7 establish: (1) a list of countries, businesses and entities from which a public agency  
8 or law enforcement agency shall not purchase or acquire any unmanned aerial  
9 vehicle or other equipment or service relating to the operation of an unmanned  
10 aerial vehicle; and (2) a list of unmanned aerial vehicles and other related  
11 equipment or services that a public agency or law enforcement agency shall not  
12 operate, purchase or acquire. **Sections 1 and 1.3** of this bill prohibit, effective  
13 January 1, 2025, a public agency or law enforcement agency from operating,  
14 purchasing or acquiring any unmanned aerial vehicle or other equipment or service  
15 relating to the operation of an unmanned aerial vehicle in violation of the  
16 regulations adopted by the Department.

17 **Section 1.7** of this bill requires the Department to adopt regulations to: (1)  
18 authorize a public agency to conduct scheduled inspections to ensure compliance  
19 with building and fire codes and laws, ordinances, regulations and rules adopting or



20 establishing building and fire codes; (2) prohibit a public agency from collecting  
21 any photograph, image or recording through the operation of an unmanned aerial  
22 vehicle during the scheduled inspection; and (3) provide that if a photograph, image  
23 or recording or other information is collected through the operation of an unmanned  
24 aerial vehicle during a scheduled inspection, such photograph, image, recording or  
25 other information is not admissible and must not be disclosed in any proceeding  
26 other than a proceeding relating to the purpose of the scheduled inspection.

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

1       **Section 1.** NRS 493.112 is hereby amended to read as follows:

2       493.112 1. Except as otherwise provided in this section,  
3 nothing in this section shall be deemed to otherwise prohibit the  
4 operation of an unmanned aerial vehicle by a law enforcement  
5 agency for any lawful purpose in this State.

6       2. Except as otherwise provided in subsection 3, a law  
7 enforcement agency shall not operate an unmanned aerial vehicle  
8 for the purpose of gathering evidence or other information within  
9 the curtilage of a residence or at any other location or upon any  
10 property in this State at which a person has a reasonable expectation  
11 of privacy, unless the law enforcement agency first obtains a  
12 warrant from a court of competent jurisdiction authorizing the use of  
13 the unmanned aerial vehicle for that purpose. A warrant authorizing  
14 the use of an unmanned aerial vehicle must specify the period for  
15 which operation of the unmanned aerial vehicle is authorized. A  
16 warrant must not authorize the use of an unmanned aerial vehicle for  
17 a period of more than 10 days. Upon motion and a showing of  
18 probable cause, a court may renew a warrant after the expiration of  
19 the period for which the warrant was initially issued.

20       3. A law enforcement agency may operate an unmanned aerial  
21 vehicle without obtaining a warrant issued pursuant to subsection 2:

22       (a) If the law enforcement agency has probable cause to believe  
23 that a person has committed a crime, is committing a crime or is  
24 about to commit a crime, and exigent circumstances exist that make  
25 it unreasonable for the law enforcement agency to obtain a warrant  
26 authorizing the use of the unmanned aerial vehicle.

27       (b) If a person provides written consent to the law enforcement  
28 agency authorizing the law enforcement agency to acquire  
29 information about the person or the real or personal property of the  
30 person. The written consent must specify the information to be  
31 gathered and the time, place and manner in which the information is  
32 to be gathered by the law enforcement agency.

33       (c) For the purpose of conducting search and rescue operations  
34 for persons and property in distress.



1 (d) Under circumstances in which the law enforcement agency  
2 believes that an imminent threat exists to the life and safety of an  
3 individual person or to the public at large, including, without  
4 limitation, the threat of an act of terrorism. A law enforcement  
5 agency that operates an unmanned aerial vehicle pursuant to this  
6 paragraph shall document the factual basis for its belief that such an  
7 imminent threat exists and shall, not later than 2 business days after  
8 initiating operation, file a sworn statement with a court of competent  
9 jurisdiction describing the nature of the imminent threat and the  
10 need for the operation of the unmanned aerial vehicle.

11 (e) Upon the declaration of a state of emergency or disaster by  
12 the Governor. A law enforcement agency that operates an unmanned  
13 aerial vehicle pursuant to this paragraph shall not use the unmanned  
14 aerial vehicle outside of the geographic area specified in the  
15 declaration or for any purpose other than the preservation of public  
16 safety, the protection of property, or the assessment and evaluation  
17 of environmental or weather-related damage, erosion or  
18 contamination.

19 4. Any photograph, image, recording or other information that  
20 is acquired by a law enforcement agency through the operation of an  
21 unmanned aerial vehicle in violation of this section, or that is  
22 acquired from any other person or governmental entity, including,  
23 without limitation, a public agency and any department or agency of  
24 the Federal Government, that obtained the photograph, image,  
25 recording or other information in a manner inconsistent with the  
26 requirements of this section, and any evidence that is derived  
27 therefrom:

28 (a) Is not admissible in and must not be disclosed in a judicial,  
29 administrative or other adjudicatory proceeding; and

30 (b) May not be used to establish reasonable suspicion or  
31 probable cause as the basis for investigating or prosecuting a crime  
32 or offense.

33 ***5. Except as otherwise provided in this subsection, a law***  
34 ***enforcement agency shall not operate, purchase or acquire any***  
35 ***unmanned aerial vehicle or other equipment or service relating to***  
36 ***the operation of an unmanned aerial vehicle in violation of the***  
37 ***regulations adopted by the Department pursuant to subsection 6 of***  
38 ***NRS 493.118. A law enforcement agency may operate or use an***  
39 ***unmanned aerial vehicle or other equipment or service relating to***  
40 ***the operation of an unmanned aerial vehicle that was purchased***  
41 ***or acquired before the effective date of the regulations adopted by***  
42 ***the Department pursuant to subsection 6 of NRS 493.118.***

43 **Sec. 1.3.** NRS 493.115 is hereby amended to read as follows:  
44 493.115 1. A public agency:

45 (a) May operate an unmanned aerial vehicle only if:



1 (1) Before the operation of the unmanned aerial vehicle, the  
2 public agency registers the unmanned aerial vehicle with the  
3 Department pursuant to subsection 2 of NRS 493.118.

4 (2) The public agency operates the unmanned aerial vehicle  
5 in accordance with the regulations adopted by the Department  
6 pursuant to subsection 4 of NRS 493.118.

7 (b) Must not operate an unmanned aerial vehicle for the  
8 purposes of assisting a law enforcement agency with law  
9 enforcement or conducting a criminal prosecution.

10 2. Any photograph, image, recording or other information that  
11 is acquired by a public agency through the operation of an  
12 unmanned aerial vehicle in violation of this section, and any  
13 evidence that is derived therefrom:

14 (a) Is not admissible in, and must not be disclosed in, a judicial,  
15 administrative or other adjudicatory proceeding; and

16 (b) May not be used to establish reasonable suspicion or  
17 probable cause as the basis for investigating or prosecuting a crime  
18 or offense.

19 ***3. Except as otherwise provided in this subsection, a public***  
20 ***agency shall not operate, purchase or acquire any unmanned***  
21 ***aerial vehicle or other equipment or service relating to the***  
22 ***operation of an unmanned aerial vehicle in violation of the***  
23 ***regulations adopted by the Department pursuant to subsection 6 of***  
24 ***NRS 493.118. A public agency may operate or use an unmanned***  
25 ***aerial vehicle or other equipment or service relating to the***  
26 ***operation of an unmanned aerial vehicle that was purchased or***  
27 ***acquired before the effective date of the regulations adopted by the***  
28 ***Department pursuant to subsection 6 of NRS 493.118.***

29 **Sec. 1.7.** NRS 493.118 is hereby amended to read as follows:

30 493.118 1. The Department shall, to the extent that money is  
31 available for this purpose, establish and maintain a registry of  
32 unmanned aerial vehicles that are operated by public agencies in this  
33 State. The Department shall include on its Internet website the  
34 information that is maintained in the registry.

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

38 (a) The name of the public agency;

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

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

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



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

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

- 11 (a) The provision of fire services.
- 12 (b) The provision of emergency medical services.
- 13 (c) The protection of a critical facility that is public property.
- 14 (d) Search and rescue operations conducted for persons and  
15 property in distress.

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

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

24 (b) *Prohibit a public agency from collecting any photograph,*  
25 *image or recording through the operation of an unmanned aerial*  
26 *vehicle during a scheduled inspection described in paragraph (a).*  
27 *If any photograph, image or recording is collected in violation of*  
28 *such a regulation or if any other information is collected through*  
29 *the operation of an unmanned aerial vehicle during such a*  
30 *scheduled inspection, the photograph, image, recording or other*  
31 *information:*

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

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

39 **Sec. 1.9.** NRS 493.118 is hereby amended to read as follows:

40 493.118 1. The Department shall, to the extent that money is  
41 available for this purpose, establish and maintain a registry of  
42 unmanned aerial vehicles that are operated by public agencies in this  
43 State. The Department shall include on its Internet website the  
44 information that is maintained in the registry.



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

4 (a) The name of the public agency;

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

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

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

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

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

21 (a) The provision of fire services.

22 (b) The provision of emergency medical services.

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

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

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

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

34 (b) Prohibit a public agency from collecting any photograph,  
35 image or recording through the operation of an unmanned aerial  
36 vehicle during a scheduled inspection described in paragraph (a). If  
37 any photograph, image or recording is collected in violation of such  
38 a regulation or if any other information is collected through the  
39 operation of an unmanned aerial vehicle during such a scheduled  
40 inspection, the photograph, image, recording or other information:

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



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

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

6 *(a) A list of countries, businesses and entities from which a*  
7 *public agency or law enforcement agency shall not purchase or*  
8 *acquire any unmanned aerial vehicle or other equipment or*  
9 *service relating to the operation of an unmanned aerial vehicle;*  
10 *and*

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

14 *7. The lists established pursuant to subsection 6 must include,*  
15 *without limitation:*

16 *(a) Any country, business or entity identified by the Secretary*  
17 *of Defense of the United States Department of Defense pursuant*  
18 *to Section 1260H of the William M. (Mac) Thornberry National*  
19 *Defense Authorization Act for Fiscal Year 2021, Public Law 116-*  
20 *283, any amendments thereto or any subsequent federal law*  
21 *establishing such a list;*

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

30 *(c) Any hardware, software, vendor or service prohibited from*  
31 *being used by a state agency in Nevada by a regulation, guideline*  
32 *or policy adopted by the Division of Enterprise Information*  
33 *Technology Services of the Department of Administration*  
34 *pursuant to NRS 242.111 and 242.115; and*

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

38 **Sec. 2.** 1. This section becomes effective upon passage and  
39 approval.

40 2. Section 1.7 of this act becomes effective:

41 (a) Upon passage and approval for the purpose of adopting any  
42 regulations and performing any other preparatory administrative  
43 tasks that are necessary to carry out the provisions of this act; and

44 (b) On October 1, 2023, for all other purposes.

45 3. Sections 1, 1.3 and 1.9 of this act become effective:



- 1 (a) Upon passage and approval for the purpose of adopting any
- 2 regulations and performing any other preparatory administrative
- 3 tasks that are necessary to carry out the provisions of this act; and
- 4 (b) On January 1, 2025, for all other purposes.

