

SD Airports Conference

Legislative Report

David Johnson
SD State Representative

District 33
Rapid City, SD



- SD State House of Representatives
 - Transportation Committee
 - Taxation Committee
- Past Officer, USAF and Reserves
- Certificated pilot since 1980
- Commercial Pilot, multi-engine and IFR
- Flight Instructor
- Remote pilot certificate (drones)



Airmail beacon system



Montague, California

Enterprise, Nevada



The concrete remains of a well-preserved two-piece arrow are still visible.

Air marker directional pointer



HB 1066: Title 50 “cleanup”

An Act to revise and repeal provisions in

**Title 50
SD Aviation Statutes**



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- In excess of 70 aviation statutes repealed
- In excess of 50% volume reduction in Title 50





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Codified Laws

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TITLE 50 AVIATION

Chapter

- 01. Definitions And General Provisions
- 02. Aeronautics Commission
- 03. Civil Air Patrol [Transferred]
- 04. Planning And Development Of Aviation Facilities
- 05. Certified Airports, Schools And Navigation Facilities
- 06. City Airport Boards [Repealed]
- 06A. Regional Airport Authorities
- 07. Publicly Owned Airports
- 08. Airport Revenue Bonds [Transferred and Repealed]
- 09. Air Navigation Hazards
- 10. Airport Zoning
- 11. Registration And Licensing Of Aircraft And Pilots
- 12. Aircraft Dealers
- 13. Air Space And Operation Of Aircraft
- 14. Airline Authority [Repealed]
- 15. Drones

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CHAPTER 50-2

AERONAUTICS COMMISSION

- [50-2-1](#) Appointment of members--Compensation--Qualifications--Terms.
- [50-2-1.1](#) Commission within department--Advice regarding state owned aircraft.
- [50-2-2](#) Repealed.
- [50-2-2.1](#) Repealed.
- [50-2-3](#) Repealed.
- [50-2-4](#) Report to Governor.
- [50-2-5](#) Duties of commission.
- [50-2-6](#) to [50-2-11.1](#). Repealed.
- [50-2-12](#) Approval of expenditures and disbursements.
- [50-2-13](#) Rules to be consistent with federal law.
- [50-2-14](#) Repealed.
- [50-2-15](#) Operation of aircraft for other state departments--Reimbursement.
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CHAPTER 50-9

AIR NAVIGATION HAZARDS

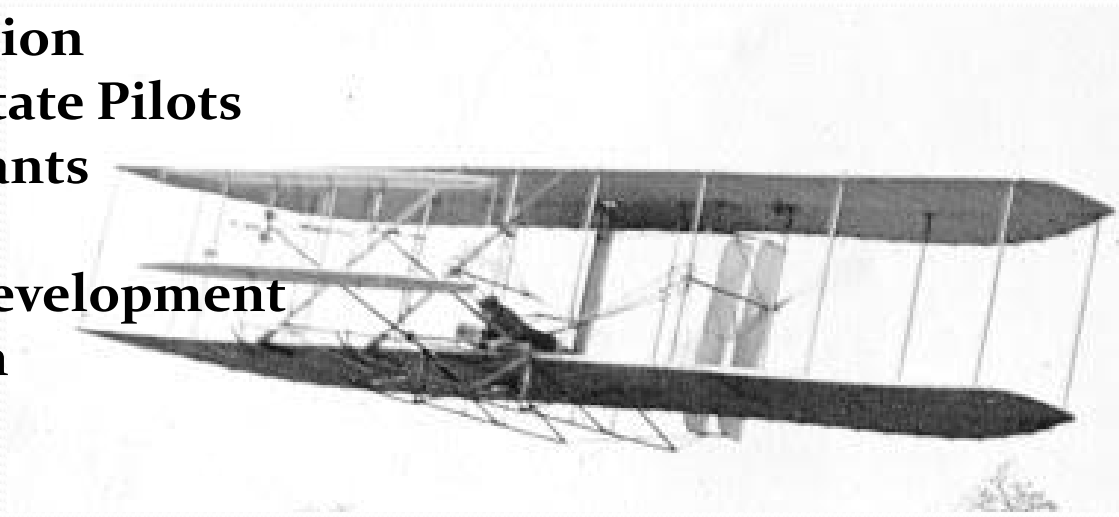
- [50-9-1](#) FAA determination of no hazard to be provided to commission before construction or alteration of structure--Violation as misdemeanor.
- [50-9-2, 50-9-3.](#) Repealed.
- [50-9-4](#) Appeal of commission action--Procedure.
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- [50-9-10](#) Conflicting jurisdiction between commission and political subdivision--Superiority of commission--Public hearing.
- [50-9-11](#) Repealed.
- [50-9-12](#) Repealed.
- [50-9-13](#) Required marking of certain anemometer towers--Violation as misdemeanor.

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Title 50 cleanup participants

- **SD DOT Legal Team**
- **SD DOT Aeronautics Team**
- **SD DOT Secretary and Deputy Secretary**
- **Airport Managers**
- **FBO Operators and Flight Instructors**
- **SD Aeronautics Commission**
- **Highway Patrol and SD State Pilots**
- **Private Aviation Consultants**
- **Civil Air Patrol**
- **SD Office of Economic Development**
- **SD Office of Rural Health**
- **SD Aviation Association**
- **SD Pilots Association**
- **Federal Aviation Administration**



HB 1102: Re-appropriate \$3.0M to Aeronautics Fund

History

\$3.5M “swept” in FY2010 from the SD Aeronautics Fund.
In FY2014, \$500,000 was reverted.

House Bill 1102 is an annual request to replenish the remaining \$3.0M that was swept in 2010.

HB 1060: An Act to prevent future sweeping of aeronautics funds

An Act to revise certain provisions regarding the use of the aeronautics fund.

Section 1. That § 50-4-14 be AMENDED:
50-4-14. State aeronautics fund--Uses.



The state aeronautics fund and the accumulations to the fund as appropriated by the Legislature ~~may~~ shall be used ~~only~~ for:

- (1) The ~~planning~~ construction, development, and maintenance of aviation facilities and public airports;
- (2) The lighting, marking, and maintenance of runways, taxiways, and parking areas of public airports licensed by the commission, in proportion to the amount of the aircraft fuel tax paid on the aircraft fuel purchased for resale for use in aircraft at each public airport, as nearly as practicable, as to each airport the commission deems to be operated and maintained in accordance with the laws of this state, the rules of the commission, and the standards established by any agency of the United States, provided that the unrestricted use of the airport is at all times available to the general public for the taking off and landing of aircraft;
- (3)(2) The matching of any funds made available by the United States, this state, or any of the political subdivisions of this state for the purchase of sites for airports, and for the construction, development, and maintenance of the airports planning, construction, development, and maintenance of aviation facilities and public airports, in amounts the commission may determine; and
- (4)(3) The paying of salaries, office expenses, traveling, and other expenses of commission and department staff to carry out the responsibilities defined in chapter 50-2.

A Guide to Drones in South Dakota



Federal Aviation Regulations

Part 107

Commercial Drone Operations

Part 101

Hobbyist Drone Operations



HB 1065

An Act to revise drone surveillance protections



Trespassing -- Eavesdropping -- Invasion of Privacy -- Drones -- Exemptions -- Misdemeanor.

No person may, except as authorized by law, use a drone to:

- (1) Trespass on property ...
- (2) Install in any private place, without the consent of the person or persons entitled to privacy there, any device for observing, photographing, recording, amplifying, or broadcasting sounds ...
- (3) Intentionally use a drone to photograph, record, or otherwise observe another person in a private place ...
- (4) Land a drone on the lands or waters of another resident ...

These restrictions do not apply to law enforcement officers, or to those acting under the direction of a law enforcement officer, while engaged in the performance of the officer's lawful duties. These restrictions do not apply to a drone operator operating a drone for **commercial or agricultural bona fide business or bona fide government** purposes, nor do they apply to a **designated** emergency management worker operating a drone within the scope of the worker's duties.

HB 1059: “hunting” with drones

An Act to revise certain provisions regarding hunting with drones.

Section 1. That § 41-8-39 be AMENDED:

41-8-39. Use of aircraft in hunting prohibited--Exception--Violation as misdemeanor.

It is a Class 1 misdemeanor for any person to:

- (1) Kill or attempt to kill any wild bird or animal from an aircraft, except as otherwise provided for in § 41-8-39.1; or
- (2) Use an aircraft for the purpose of hunting, taking, concentrating, driving, rallying, stirring up, locating, or spotting any wild bird or animal, except that the prohibition in this subdivision does not apply to a person who uses a drone for the purpose of locating or spotting a predator or varmint, provided if:
 - (a) The activity occurs only on or over land that is privately owned;
 - (b) The person operating the drone is the landowner or has permission from the landowner or a lessee; and
 - (c) The activity does not occur during the months of September, October, or November; and
 - (d) **The operation of the drone is in full compliance with all applicable Federal Aviation Administration regulations.**

Section 2. That § 50-15-2 be AMENDED:

50-15-2. Operation of drone--Compliance with federal law--Exemption.

Any operation of a drone in the state **shall comply with all applicable federal aviation administration requirements Federal Aviation Administration regulations**. Any drone operating under the authority of the Armed Forces of the United States, including the National Guard, is exempt from this chapter.



Rapid City Airport Planning Group

Master Planning Advisory Committee & General Aviation Focus Group

Advisory Committee Goals

- Provide input to the airport and planning team on concerns, deficiencies, and successes.
- Review proposed alternatives and recommendations from the planning team and serve as a sounding board.
- Review documents and provide input and recommendations.
- Represent the consensus view of the committee to the Airport Board.

For questions or comments:

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Rapid City and Central Black Hills**

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