

No Drone Zone June 29, 2017

Effective July 1, 2017, Department of Corrections facilities become No Drone Zones in South Dakota.

The 2017 Legislature passed Senate Bill 80 and Gov. Dennis Daugaard signed the bill into law. Senate Bill 80 is an Act to regulate the use of drones under certain conditions and to provide a penalty therefor.

The bill defines a drone as “a powered, aerial vehicle that does not carry a human operator, uses aerodynamic forces to provide vehicle lift, and can fly autonomously or be piloted remotely. The vehicle may be expendable or recoverable.”

The bill states that any operation of a drone in the state shall comply with all applicable federal aviation administration requirements.

South Dakota Codified Law 50-15-3 specifically states that “No person may operate a drone over the grounds of a prison, correctional facility, jail, juvenile detention facility, or any military facility unless expressly authorized by the administrator thereof. A violation of this section is a Class 1 misdemeanor.”

Furthermore, SDCL 50-15-4 states that “any person who uses a drone to deliver contraband or controlled substances to a state prison or other correctional facility is guilty of a Class 6 felony in addition to the penalty for the principal offense.”

The full text of the new laws are available on the Legislative Research Council website at: http://sdlegislature.gov/statutes/Codified_Laws/.

