

S.L. 2017-179 (H 128): Unmanned aircraft near prison or jail.

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Effective for offenses committed on or after December 1, 2017, new G.S. 15A-300.3(a) prohibits the use of an unmanned aircraft system within a horizontal distance of 500 feet or vertical distance of 250 feet from a local jail or state or federal prison. New G.S. 15A-300.3(b) includes several exceptions, such as written consent from the official in charge of facility and by law enforcement use in accordance with G.S. 15A-300.1(c). New G.S. 15A-300.3(c) establishes three punishment levels. Delivering or attempting to deliver a weapon to a prison or jail by an unmanned aircraft system within the prohibited distances, whether or not within an exception, is a Class H felony, with a mandatory fine of \$1,500. Similarly, delivering or attempting to deliver contraband, defined as controlled substances, cigarettes, alcohol, and communication devices, is a Class I felony, with a mandatory fine of \$1,000. Using an unmanned aircraft system in violation of G.S. 15A-300.3(a) and not within an exception is a Class 1 misdemeanor, with a mandatory fine of \$500. New G.S. 15A-300.3(d) contains provisions on seizure and forfeiture of illegally-used unmanned aircraft systems and attached property, weapons, and contraband. In an uncodified section, the act directs the Division of Aviation of the Department of Transportation to develop guidelines for the content and dimensions of posted notices to mark boundaries in accordance with the requirements of new G.S. 15A-300.3



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