

HOUSE No. 4546

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, September 25, 2025.

The committee on Transportation, to whom was referred the petition (accompanied by bill, House, No. 3749) of Brian W. Murray relative to unmanned aerial systems, reports recommending that the accompanying bill (House, No. 4546) ought to pass.

For the committee,

JAMES ARCIERO.

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**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to unmanned aerial systems.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 90 of the General Laws, as appearing in the 2022 official edition, is hereby
2 amended by adding the following section:-

3 “Section 64(a). As used in this section the following terms shall, unless the context
4 clearly requires otherwise, have the following meanings:-

5 “Operate”, to pilot, fly, control, direct, or program the flight of an unmanned aircraft
6 system.

7 “Unmanned Aircraft System” or “UAS”, an unmanned aerial vehicle and associated
8 elements and support equipment required for the safe and efficient operation of the UAV,
9 including but not limited to, communications links and components that control the UAV.

10 “Unmanned Aerial Vehicle”, “UAV”, or “drone”, a powered aerial vehicle that:

11 (a) Does not carry a human operator and is operated without the possibility of direct
12 human intervention from within or on the aircraft;

13 (b) Uses aerodynamic forces to provide vehicle lift;

14 (c) Can fly autonomously or be piloted remotely and;

15 (d) Can be expendable or recoverable.

16 (b) No municipality shall enact or enforce any ordinance regulating the operation of
17 UAVs and UASs except as otherwise authorized by regulation or guideline promulgated by the
18 Federal Aviation Administration or the laws of this commonwealth.

19 (c) (1) No person shall operate or permit to be operated, any UAS or UAV in violation of
20 any FAA rule or regulation within the commonwealth. Whoever violates the provisions of this
21 paragraph shall be punished by a fine of not more than one-hundred dollars.

22 (2) A law enforcement officer who observes a violation of an FAA rule or regulation
23 committed by an operator of a UAS or UAV may request the offender to state their true name
24 and address. Whoever, upon such request, refuses to state their name and address or whoever
25 states a false name and address, or a name and address not in the ordinary use shall be punished
26 by a fine of not less than twenty dollars nor more than fifty dollars. An offender who refuses to
27 state their true name and address may be arrested without a warrant for such refusal, but no
28 person shall be arrested without a warrant for any other FAA rule or regulation violation
29 committed while operating a UAS or UAV.

30 (d) (1) No person shall equip or operate a UAS or UAV armed with a weapon capable of
31 causing serious bodily injury or death or is otherwise capable of firing or releasing a projectile
32 designed to cause serious bodily injury or death. Persons convicted of unauthorized operation of
33 a UAS or UAV under this paragraph shall be punished by a fine of not more than two-thousand

34 dollars or by imprisonment in a house of correction for not more than one year or both. Federal,
35 state, and municipal public safety explosive ordinance personnel are exempted from this
36 provision for the limited purpose of use of UAS or UAV for the disposal of explosive ordinance.

37 (2) No person shall operate a UAS or UAV in a manner so as to interfere with or disrupt
38 the flight of manned aircraft, or otherwise impede the normal course of operations of any
39 international, regional, municipal, or general aviation airport. Persons convicted of unauthorized
40 operation of a UAS or UAV under this paragraph shall be punished by a fine of not more than
41 one-thousand five-hundred dollars or by imprisonment in a house of correction for not more than
42 one year or both. Unauthorized operation of a UAS or UAV under this paragraph which results
43 in damage to a manned aircraft in flight or causes said aircraft to crash shall be punished by a
44 fine of not more than ten-thousand dollars or by imprisonment in a house of correction for not
45 more than two and one-half years or both.

46 (3) No person shall knowingly or intentionally operate a UAS or UAV so as to interfere
47 with or impede first responders or law enforcement actively responding to an emergency.
48 Persons convicted of unauthorized operation of a UAS or UAV under this paragraph shall be
49 punished by a fine of not more than one-thousand dollars, or by imprisonment in a house of
50 correction for not more than six months, or both.

51 (e) No person shall operate a UAS or UAV for the purpose of conducting surveillance or
52 observation of an individual on private real property owned or leased by the individual inclusive
53 of the curtilage without said individual's consent. Improper use of a UAS or UAV under this
54 paragraph shall be deemed a violation of section 1B of chapter 214 of the General Laws,
55 provided however that use of a UAS or UAV for legitimate commercial purposes shall not be

56 deemed a violation of said section 1B of chapter 214. Notwithstanding the provisions of this
57 subsection, use of UASs or UAVs by law enforcement for observational or surveillance purposes
58 is permitted:

59 (i) if the law enforcement agency first obtains a search warrant authorizing the use of a
60 UAS or UAV;

61 (ii) to counter the risk of a terrorist incident if the United States Secretary for Homeland
62 Security or the Secretary of the Executive Office of Public Safety and Security determines
63 credible intelligence exists indicating the risk of a terrorist incident;

64 (iii) if the law enforcement agency possesses reasonable suspicion under the
65 circumstances that use of a UAS or UAV is necessary to prevent imminent danger to life, to
66 conduct a pursuit of an escapee or suspect, or to facilitate a search for a missing person; or

67 (iv) to document a crime scene or crash scene for investigative, evidentiary, or crash
68 reconstruction purposes.

69 (f)(1) Notwithstanding any general or special law or regulation to the contrary, a law
70 enforcement agency in possession of images, footage, data, or recordings captured from the use
71 of a UAS or UAV shall permanently erase or destroy or cause to be destroyed all images,
72 footage, data, or recordings captured from a UAS or UAV not later than 120 days following the
73 date on which the images, footage, data, or recordings were captured.

74 (2) The law enforcement agency may retain said UAS or UAV images, footage, data, or
75 recordings beyond 120 days if such information contains evidence of a crime or is relevant to an
76 ongoing investigation or judicial proceeding.

77 (g) If any part of this section is for any reason held to be unconstitutional, preempted, or
78 invalid, such decision shall not affect the remainder of this section.