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SENATE

S.B. No. 1777

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Introduced by: **Senator Raffy T. Tulfo**

**AN ACT REGULATING THE OWNERSHIP AND OPERATION OF DRONES
BY PRIVATE PERSONS**

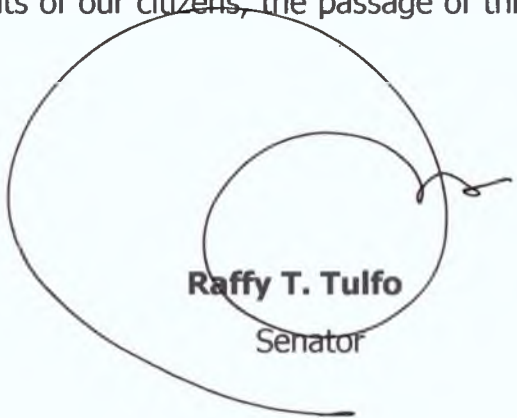
EXPLANATORY NOTE

Drones or Remotely-Piloted Aircraft Systems (RPAS) are now revolutionizing the country as they are increasingly being used in different industries. These robots are unmanned aerial vehicles which are especially advantageous in reaching isolated areas. Although drones were initially created and developed for military purposes, they are now associated with the operations of businesses, governmental agencies, and even individuals for leisure. Modern drones are remarkably easy to fly and with the advances brought about by technology, drones have their own sensors and GPS receivers which are beneficial for data analytics.

However, drones can also be dangerous. Since it is now widely used for recreational purposes, it raises regulatory concerns in numerous countries, including the Philippines. These robotic devices can be viewed as space hazards and if wrongly operated, it can pose serious danger. In fact, there have been many instances in which drones and planes have come close to colliding. Hence, immediate regularization of the same is needed.

This bill aims to regularize the ownership and operations of drones by private persons and to steer clear of the hazards brought about by misuse of drones or remotely-piloted aircraft systems (RPAS).

With enough safeguards to protect the rights of our citizens, the passage of this bill is earnestly sought.



Raffy T. Tulfo
Senator



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*Be it enacted by the Senate and House of Representatives of the Philippines in Congress
assembled:*

**ARTICLE I
GENERAL PROVISIONS**

1 Section 1. *Short Title.* – This Act shall be known as the “Drone Regularization Act”.

2 Sec. 2. *Declaration of Policy.* – It is the policy of the State to regulate the ownership
3 and operation of drones by private persons in order to ensure public safety.

4 Sec. 3. *Definition of Terms.* – As used in this Act, the following terms shall mean:

5 (a) **Drone** – shall refer to an unmanned aerial vehicle (UAV) or any component
6 of an unmanned aerial system (UAS) that has no pilot and is controlled by an
7 operator on the ground. The Civil Aviation Authority of the Philippines (CAAP)
8 is authorized by this Act to classify drones into types for the purpose of
9 regulation.

10 (b) **Private Persons** – shall refer to natural or juridical persons not employed by
11 or part of the Government.

1 (c) **Commercial Drone Use** – is any use of a drone in connection with a business
2 or profession for the sake of profit, whether the profit is the primary purpose
3 of the drone use or merely an incidental result.

4 (d) **Hobbyist Drone Use** – the use of drones for recreational purposes where no
5 profit is made from the use of drones.

6 *Sec. 4. Registration and Permit to Operate.* – All drone owners, whether the drones
7 are for hobbyist or commercial use, are hereby required to periodically register their
8 drones with the CAAPs Public Safety and Security Command Center.

9 Only a registered commercial drone owner may apply for a permit to operate, which shall
10 be issued periodically upon proof that the owner;

- 11 a. Qualifies for a radio operator's certificate of proficiency;
- 12 b. Has been awarded a passing rating in an aviation license theory examination;
- 13 c. Has completed a training course in the operation of the type of drone that will be
14 operated;
- 15 d. Has at least five (5) years of experience operating drones outside of controlled
16 airspace;
- 17 e. Has valid insurance over the drone; and,
- 18 f. Has not incurred any violation for drone ownership or use in the five (5) years
19 immediately preceding an application for permit.

20 The operator's permit to operate shall cover all registered drones of the same type.
21 The Authority is hereby authorized to collect reasonable fees for the registration of drones
22 and processing of permits to operate the drones.

23 *Sec. 5. Establishment of No-Drone Zone.* – The CAAP is hereby authorized to
24 prohibit the use of drones, whether hobbyist or commercial or both, in any part of the
25 Philippines, whether permanently or for a designated period of time, subject to notice
26 that must be published in at least two (2) newspapers of general circulation.

27 The notice must clearly state the no-drone zone and must be published at least
28 three (3) weeks prior to the effectivity of the prohibition. Notice can only be foregone in
29 emergency situations, as determined by the CAAP.

1 This power is without prejudice to the power of other government agencies to
2 regulate airspace, particularly in emergency situations that may require the establishment
3 of no-fly zones.

4 Sec. 6. *General Safety Regulations and Restrictions on Drone Usage.* – The CAAP
5 shall periodically update and publish safety regulations and restrictions of drone usage,
6 the violation of which shall be the basis for revocation of the permit to operate and
7 confiscation of the drone, without prejudice to the penalties provided in this Act and any
8 civil or criminal suits that may be filed as a result of the violation. These safety regulations
9 and restrictions shall include:

- 10 1. Requiring all drones, whether for hobbyist or commercial use, to be clearly marked
11 with the name, contact number, and address of the owner;
- 12 2. Prohibiting the use of drones as means to violate constitutional rights, including
13 the right to privacy;
- 14 3. A prohibition on flying drones above four hundred (400) feet;
- 15 4. A prohibition on flying drones near aircraft, particularly near airports;
- 16 5. Allowing drone operation only during daylight hours and in good weather, subject
17 to exceptions to be crafted by the CAAP;
- 18 6. The prohibition on flying drones over groups of people, public events, or stadiums
19 full of people, subject to exceptions to be crafted by CAAP;
- 20 7. The prohibition on flying drones near emergencies, such as fires;
- 21 8. The prohibition on flying drones under the influence of drugs or alcohol;
- 22 9. For recreational drone use, requiring an operator to keep the drone within the
23 operator's line of sight; and
- 24 10. Other regulations as the CAAP may see fit to introduce in the interest of public
25 safety, such as further restriction on types of drones as classified by the CAAP.

26 Sec 7. *Penalties.* – Failure to register a drone shall result in the confiscation of the
27 drone. Operating a drone for commercial purposes without a permit shall result in the
28 confiscation of the drone and a fine of not less than Fifty Thousand Pesos (Php50,000.00)
29 but not more than One Hundred Thousand Pesos (PhP100,000.00).

1 Any violation of the general safety regulations and restrictions on drone usage
2 shall result in a fine of not less than One Hundred Thousand Pesos (Php100,000.00) but
3 not more than Five Hundred Thousand Pesos (Php500,000.00), without prejudice to any
4 separate civil or criminal charges that may be brought against the drone owner and/or
5 operator for any injury or damage resulting from the violation.

6 Sec. 8. *Implementing Rules and Regulations.* – The CAAP shall issue the necessary
7 rules and regulations for the effective implementation of this Act not later than ninety
8 (90) days from the date of effectivity of this Act.

9 Sec. 9. *Retroactivity Act.* – This Act shall have retroactive effect. All drone owners
10 who have not yet registered their drones or obtained permits to operate their drones are
11 given ninety (90) days from the effectivity of the Implementing Rules and Regulations of
12 this Act to register and obtain permits without fear of sanction.

13 Sec. 10. *Separability Clause.* – If any portion or provision of this Act is declared
14 void or unconstitutional, the remaining portions or provision of this Act shall not be
15 affected by such declarations.

16 Sec. 11. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, other
17 issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed
18 or modified accordingly.

19 Sec. 12. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
20 complete publication in at least two (2) newspapers of general circulation.

Approved,