



Legislation Text

File #: Int 0369-2024, Version: *

Int. No. 369

By Council Members Powers, Brewer, Schulman, Krishnan, Rivera, Salaam, Banks, Louis, Farías, Marte, Dinowitz, Hudson, Ariola and Borelli

A Local Law to amend the administrative code of the city of New York, in relation to a pilot program for the use of unmanned aircraft systems in the inspection of the exterior walls of buildings greater than six stories in height

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 10-126 of the administrative code of the city of New York is amended to read as follows:

a. Definitions. [When] As used in this section, the following [words or] terms [shall mean or include] have the following meanings:

[1. “[Aircraft.]” The term “aircraft” means [A]any contrivance [, now or hereafter] invented, used or designed for aviation or flight in the air, including an unmanned aerial vehicle or a captive balloon, except a parachute or other contrivance designed for use[,] as and carried primarily as safety equipment.

[2. “Place of landing.” Any authorized airport, aircraft landing site, sky port or seaplane base in the port of New York or in the limits of the city.

3. “Limits of the city.” The water, waterways and land under the jurisdiction of the city and the air space above the same.

4. “[Avigate.]” To] The term “avigate” means to pilot, steer, direct, fly or manage an aircraft in or through the air, whether controlled from the ground or otherwise.

[5. “Congested area.” Any land terrain within the limits of the city.

6. “Person.” A natural person, co-partnership, firm, company, association, joint stock association,

corporation or other like organization.]

Limits of the city. The term “limits of the city” means the water, waterways and land under the jurisdiction of the city and the air space above the same.

Place of landing. The term “place of landing” means any authorized airport, aircraft landing site, sky port or seaplane base in the port of New York or in the limits of the city.

Unmanned aerial vehicle. The term “unmanned aerial vehicle” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

§ 2. Subdivision c of section 10-126 of the administrative code of the city of New York is amended to read as follows:

c. Take offs and landings. It shall be unlawful for any person avigating an aircraft to take off or land, except in an emergency, at any place within the limits of the city other than places of landing designated by the department of transportation or the port of New York authority, and except pursuant to section 28-302.7.

§ 3. Article 302 of title 28 of the administrative code of the city of New York, as added by local law 38 for the year 2007, is amended by adding a new section 28-302.7 to read as follows:

§ 28-302.7 Unmanned aerial systems pilot program. a. Definitions. As used in this section, the following terms have the following meanings:

Unmanned aerial vehicle. The term “unmanned aerial vehicle” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Unmanned aircraft system. The term “unmanned aircraft system” means an unmanned aerial vehicle and any associated equipment used for the operation of an unmanned aerial vehicle.

b. No later than December 31, 2023, the department shall establish a pilot program for the use of unmanned aircraft systems, in conjunction with physical examinations and close-up inspections, for critical examinations of a building’s exterior walls, as required by section 28-302.2, provided that no unmanned aircraft system shall be operated pursuant to this section in any manner prohibited by or contrary to the laws and

regulations of the federal aviation administration. Such pilot program shall continue through at least December 31, 2024, and may continue after such date at the discretion of the commissioner. The department shall promulgate rules for such pilot program to prioritize implementation in community districts with the greatest number of sidewalk sheds. The department shall promulgate rules for the safe operation of unmanned aircraft systems, and for the security of data collected and retained by owners and operators of such unmanned aircraft systems.

c. The department shall continue to study the safety and feasibility of the use of unmanned aircraft systems over the course of the pilot program established by subdivision b, and shall consider, but not be limited to, the following subjects:

1. The impacts of the use of unmanned aircraft systems on the time spent and costs of conducting the inspections required by section 28-302.2, including the impacts, if any, on any repair or maintenance work required as a result of such inspection;

2. What types of exterior wall defects are better identified through the use of unmanned aircraft systems;

3. The efficacy of the use of unmanned aircraft systems in conducting inspections required by section 28-302.2 in relation to the physical examinations and close-up inspections required by that section;

4. Whether the periodic use of unmanned aircraft systems can identify any changes in the condition of a building's exterior walls in comparison to previous inspections of such exterior walls;

5. Which types of buildings would most benefit from the use of unmanned aircraft systems in exterior wall inspections;

6. The feasibility of authorizing the use of unmanned aircraft systems in the course of emergency response work conducted by the department;

7. The feasibility of authorizing the use of unmanned aircraft systems in identifying open roofs in structurally compromised buildings;

8. The feasibility of authorizing the use of unmanned aircraft systems to improve the energy efficiency

of buildings; and

9. The impacts of the use of unmanned aircraft systems in conducting inspections required by section 28-302.2 on pedestrian safety.

d. No later than June 30, 2025, the commissioner shall submit a report to the mayor and the speaker of the city council on such pilot program and the results of the study required by subdivision c, which shall include, at a minimum:

1. Recommendations as to whether and how such pilot program may be expanded and made permanent;

2. The cost of conducting inspections required by section 28-302.2 with the use of unmanned aircraft systems compared to the cost of conducting such inspections without their use;

3. Feedback from participants in such pilot program, including building owners, qualified exterior wall inspectors and unmanned aircraft system operators; and

4. Challenges presented by the use of unmanned aircraft systems in the pilot program.

§ 4. This local law takes effect immediately, except that sections two and three of this local law expire and are deemed repealed upon submission of the report required by section three.

Session 13
LS 8650
1/17/24

Session 12
BJR
LS 8650
4/11/22