**Section 2005.65** **Operating Unmanned Aircraft on the Capitol Complex**

a) The purpose of these rules is to make sure the use of unmanned aircraft on the Capitol Complex is managed in a safe and secure manner and to protect the buildings and people on the Capitol Complex. For this reason, the Capitol Complex is closed to launching, landing, or operating unmanned aircraft, subject to the conditions and exceptions in subsection (d).

b) Definitions That Apply to This Section

1) "Department" means the Illinois Secretary of State Department of Police.

2) "Director" means the Director of the Illinois Secretary of State Department of Police.

3) "National airspace system" means the airspace, navigation facilities, and airports of the United States.

4) "Capitol Complex" means all State-owned or State-occupied buildings, grounds, and parking lots identified in this Part with boundaries being Washington Street, Third Street, Cook Street, and Pasfield Street in the City of Springfield and includes the buildings and spaces listed in Section 2005.10. For the purposes of this specific Section, the definition also includes the airspace of the Capitol Complex.

5) "Unmanned aircraft" means a system or device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, or communication links). This term includes all types of systems or devices that meet this definition that are used for any purpose or activity, including but not limited to governmental, private, recreational, or commercial uses. Some examples of unmanned aircraft include, but are not limited to, model airplanes, quadcopters, and drones.

c) Use of Unmanned Aircraft is Prohibited. Launching, landing, or operating an unmanned aircraft from, on, or within the boundaries of the Capitol Complex is prohibited but for the exceptions in subsection (d) below.

d) Exceptions. The prohibition on launching, landing, or operating unmanned aircraft on the Capitol Complex does not apply to:

1) emergency law enforcement and fire response operations;

2) other operations designed to support responses to health and human safety emergencies, such as search and rescue, health and environmental incidents;

3) United States national defense activities;

4) activities necessary for the care and custody of the Capitol Complex when those activities have prior written approval by the Director; and

5) flights required to document construction sites when those flights have been authorized by the Office of the Architect of the Capitol and advanced notification has been provided to the Director.

e) Requirements for Obtaining Advance Approval from the Director

1) Use of unmanned aircraft must be approved in advance and in writing by the Director.

2) When considering approval or denial of requests, the Director must consider whether the activity will:

A) present a clear and present danger to public safety or the Department of Public Health determines that the activity will present a clear and present danger to public health;

B) cause risk of injury or damage to State property or State resources;

C) be contrary to the purposes for which the Capitol Complex was established or unacceptably interrupts the functions performed on the Capitol Complex;

D) unreasonably interfere with the ability of visitors to tour or assemble at the Capitol Complex, other scheduled programs or activities, or with the administrative activities performed on the Capitol Complex;

E) substantially impair the operations of vendors or contractors working on the Capitol Complex;

F) result in significant conflict with other existing uses or previously scheduled and permitted activities.

3) The Director may condition any approval with reasonable time, place, and manner restrictions that the requestor must follow.

4) Operators given permission by the Director to operate an unmanned aircraft on the Capitol Complex must comply with all restrictions imposed by the Director and all applicable State and federal laws and regulations, including but not limited to, the regulations of the Federal Aviation Administration. This includes notifying and obtaining approval from all applicable State and federal entities, airports, air traffic control facilities, and helipads. The operator may be required to submit proof of such prior approval to the Director before operating the unmanned aircraft.

5) Requirements put in place by the Federal Aviation Administration on the use or operation of unmanned aircraft in the national airspace system must be followed. Nothing in this rule is intended to modify any requirement put in place by the Federal Aviation Administration on the use or operation of unmanned aircraft in the national airspace system.

6) The Department will coordinate with the Federal Aviation Administration regarding the use of unmanned aircraft on the Capitol Complex as may be required.

(Source: Added at 47 Ill. Reg. 17881, effective November 16, 2023)