



**SMALL UAV  
COALITION**  
*A Partnership for  
Safety & Innovation*



February 5, 2026

Honorable Carolyn Bosn  
Honorable Wendy DeBoer  
Judiciary Committee  
Nebraska State Senate

Honorable Eliot Bostar  
Nebraska State Senator

[cbosn@lweg.ne.gov](mailto:cbosn@lweg.ne.gov)

[wdeboer@leg.ne.gov](mailto:wdeboer@leg.ne.gov)

[ebostar@leg.ne.gov](mailto:ebostar@leg.ne.gov)

Re: Nebraska LB 1020

Dear Chairperson Bosn, Vice Chairperson DeBoer, and Senator Bostar:

The undersigned organizations represent the commercial drone industry in the United States. We are committed to promoting the drone industry so that Nebraska residents can realize the many benefits that drone operations can deliver to individuals and businesses.

We write in opposition to section 11 of LB 1020, which we understand will be the subject of a Judiciary Committee hearing on February 6. Section 11 would make it a misdemeanor for a person to launch or operate a drone in a “restricted area” unless such person: (1) has received approval from the Federal Aviation Administration (“FAA”) to operate the drone in the restricted area and is complying with all the terms and conditions of such approval, and (2) before operating the drone, has notified all state, county, and municipal law enforcement agencies “with jurisdiction in the area” that the person will be operating in the restricted area

and has approval from the FAA for such operation. “Restricted area” is defined to include FAA-determined restricted areas and FAA-designated Class B, C, and D airspace.

Section 11 is preempted by federal law. Congress has given the FAA plenary authority over the safety of the national airspace, including operations by drones. Section 40103 of Title 49, United States Code, provides that citizens of the United States have a public right of transit through the navigable airspace. 14 C.F.R. part 107 authorizes commercial operation of drones subject to several limitations, including the requirement to operate below 400 feet above ground level (AGL). 49 U.S.C. § 44807 authorizes the FAA to permit commercial package delivery and operations of drones over 55 pounds in the national airspace with federal government authorization.

An FAA Fact Sheet, *State and Local Regulation of Unmanned Aircraft Systems (UAS)* (July 14, 2023), at page 4, states (emphasis added):

Federal statutes give the FAA comprehensive and exclusive authority to regulate aviation safety and the efficient use of the airspace, and the FAA has issued a complex set of regulations in these areas. States may not regulate in those fields.

*State and local governments may not adopt FAA regulatory requirements and then enforce them as state or local regulations. The courts have held that where Congress occupies an entire field, even complementary state regulation is impermissible.* Field preemption reflects a congressional decision to foreclose any state regulation in the area, even if it is parallel to Federal standards.

The FAA is the sole agency to designate restricted airspace and to investigate and enforce violations of restricted airspace rules.

Section 11 also conflicts with federal law in two respects. First, the FAA has authority to pursue civil actions such as revoking or suspending a certificate or seeking a civil penalty, whereas LB 1020 would make such a violation a misdemeanor under Nebraska law. Second, the requirement to notify all state and local law enforcement agencies “with jurisdiction in the area” of an operation in a restricted area, apart from the burden and impracticability of such a notification requirement, conflicts with the FAA rules, which do not require any such notice. Moreover, state and local agencies have no jurisdiction in restricted airspace with respect to either aviation safety or airspace efficiency. Congress has entrusted the FAA with sole authority in these fields.

In sum, we urge the Committee to remove section 11 from LB 1020 in its entirety.

Respectfully submitted,

Gregory S. Walden  
Counsel  
Small UAV Coalition  
[gregory.walden@dgagroup.com](mailto:gregory.walden@dgagroup.com)  
202-403-9904

Mason Sisk  
Director, Government Affairs  
Association of Uncrewed Vehicle Systems International  
[msisk@auvsi.org](mailto:msisk@auvsi.org)