

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
AB 1749 (Dixon) – As Amended March 19, 2026

SUBJECT: INTERFERING WITH WILDFIRE SUPPRESSION WITH DRONE

KEY ISSUE: SHOULD A PERSON BE HELD CIVILLY LIABLE FOR OPERATING A DRONE THAT KNOWINGLY OR RECKLESSLY INTERFERES WITH LAW ENFORCEMENT OR EMERGENCY RESPONSE EFFORTS RELATED TO WILDFIRE SUPPRESSION?

SYNOPSIS

In response to the devastating fires that swept through parts of Los Angeles in 2025, last year, Assemblymember Dixon authored AB 426 (Dixon, 2025). AB 426 would have prohibited a person from operating a drone at the scene of an emergency that impeded various first responders and law enforcement in the performance of fire suppression, law enforcement, or emergency response duties. However, after concerns were raised about the bill's scope and potential unintended consequences that may have inappropriately implicated First Amendment protections, the author held the bill in the Senate. This bill is the author's second attempt at addressing the same issue – to protect first responders' ability to perform their duties and engage in wildfire suppression without unnecessary interference from someone operating a drone. The bill only prohibits the use of drones when such use is done knowingly or recklessly to interfere with wildfire suppression, or law enforcement or emergency response efforts related to wildfire suppression. The bill also authorizes a public prosecutor to bring a civil action to enforce against a violation.

This author-sponsored bill enjoys support from a number of law enforcement organizations and City of San Diego Mayor Todd Gloria. There is no known opposition, although TechNet has submitted a position of oppose unless amended. This bill was previously heard by the Assembly Committee on Emergency Management where it was approved on consent.

SUMMARY: Prohibits a person from operating or using a drone or similar unmanned aerial vehicle to knowingly or recklessly interfere with wildfire suppression or efforts related to wildfire suppression. Specifically, **this bill:**

- 1) Prohibits a person from operating or using an unmanned aerial vehicle, remote-piloted aircraft, or drone to knowingly or recklessly interfere with a wildfire suppression, or law enforcement or emergency response efforts related to wildfire suppression.
- 2) Authorizes the Attorney General or a county counsel or city attorney to bring a civil action to enforce against a violation. Authorizes a prevailing plaintiff in an action to recover any of the following in any court of competent jurisdiction:
 - a) A civil penalty not exceeding seventy-five thousand dollars (\$75,000) for each violation;
 - b) Injunctive relief;

- c) Reasonable attorney's fees and costs.

EXISTING LAW:

- 1) Defines unmanned aircraft and unmanned aircraft systems as follows:
 - a) "Unmanned aircraft" means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft;
 - b) "Unmanned aircraft system" means an unmanned aircraft and associated elements, including, but not limited to, communication links and the components that control the unmanned aircraft that are required for the pilot in command to operate safely and efficiently in the national airspace system. (Government Code Section 853.5.)
- 2) Exempts a local public entity and local public employees from liability for damage caused to an unmanned aircraft if the damage was caused while providing emergency services, as specified, and the unmanned aircraft interfered, as specified. (Government Code Section 853.)
- 3) Declares each person at the scene of an emergency with the intention to view the emergency, as specified, that impedes the emergency response personnel in responding to the emergency, as specified, including the operation of an unmanned aerial vehicle or drone, guilty of a misdemeanor. (Penal Code Section 402.)
- 4) Exempts an emergency responder from liability for damage caused to an unmanned aircraft if the damage was caused while the emergency responder was providing emergency services, as specified, and the unmanned aircraft interfered, as specified. (Civil Code Section 43.101.)
- 5) Makes an individual who operates an unmanned aircraft and knowingly or recklessly interferes with a wildfire suppression, or law enforcement or emergency response efforts related to a wildfire suppression, liable for a fine as defined or imprisonment for up to two years, or both. (18 U.S.C. Section 40a.)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: In January 2025, the Los Angeles area experienced a devastating series of wildfires, made up in large part by the Eaton and Palisades fires. The Palisades fire burned more than 23,000 acres, destroyed nearly 7,000 structures, and resulted in at least 13 deaths.

(Department of Forestry and Fire Protection, *Palisades Fire* available at:

[https://www.fire.ca.gov/incidents/2025/1/7/palisades-](https://www.fire.ca.gov/incidents/2025/1/7/palisades-fire#:~:text=973,Confirmed%20Firefighter%20Injuries.)

[fire#:~:text=973,Confirmed%20Firefighter%20Injuries.](https://www.fire.ca.gov/incidents/2025/1/7/palisades-fire#:~:text=973,Confirmed%20Firefighter%20Injuries.)) The emergency response to the blazes included resources from the state Department of Forestry and Fire Protection (CAL FIRE), as well as requisitions from Los Angeles County Fire, the Los Angeles City Fire Department, neighboring jurisdictions, and federal mutual aid resources. On at least one occasion, a drone operated by a private individual damaged an emergency response "super scooper," an amphibious aircraft often used in fighting wildfires to scoop water out of nearby bodies of water to drop on wildfires. (United States Attorney's Office Central District of California, *Culver City Man Agrees to Plead Guilty to Recklessly Crashing Drone into Super Scooper Firefighting Aircraft During Palisades Fire* (January 31, 2025) available at: [https://www.justice.gov/usao-cdca/pr/culver-city-man-agrees-plead-guilty-recklessly-crashing-drone-super-scooper.](https://www.justice.gov/usao-cdca/pr/culver-city-man-agrees-plead-guilty-recklessly-crashing-drone-super-scooper)) Drones

often prevent wildfire firefighters from operating aircraft, according to the Federal Aviation Administration (FAA). “Sadly, these incidents occur on a regular basis. In recent years, there have been more than 100 documented cases of unauthorized drones flying near wildfires. Your photos and video footage of the wildfires are not worth the lives and crucial operations they jeopardize.” The National Interagency Fire Center (NIFC) says it best: “If You Fly, We Can’t.” (https://www.faa.gov/sites/faa.gov/files/uas/resources/community_engagement/FAA_drones_wildfires_toolkit.pdf.) According to the author:

AB 1749 is a necessary tool for our emergency services when unauthorized drones impede wildfire suppression efforts. According to the U.S. Forest Service, there were nine public drone incursions that resulted in the grounding of aerial firefighting efforts. Recently with the Palisades Fire in Los Angeles, a drone crashed into a firefighting Super Scooper plane, leaving a hole in the wing and grounding the aircraft for several days. Not only are the repairs to the specialized equipment costly, but an aircraft or multiple aircrafts being grounded for an unspecified amount of time can be life threatening.

This bill would prohibit a person from operating or using an unmanned aerial vehicle, remote-piloted aircraft, or drone to knowingly or recklessly interfere with a wildfire suppression, or law enforcement or emergency response efforts related to a wildfire suppression. The bill would additionally authorize specific public prosecutors to bring an action to enforce its provisions and authorize recovery of a civil penalty of up to \$75,000 per violation, injunctive relief, and reasonable attorney’s fees and costs.

Last year, this Committee heard and approved AB 426 (Dixon, 2025). While, like the current measure, the author’s previous attempt was also intended to address the same problem of potential interference with wildfire suppression, this new approach deviates from last year’s in two notable ways.

First, AB 426 proposed imposing liability on any individual who operated or used a drone at the scene of an emergency that impeded law enforcement and first responders, regardless of whether the behavior was intentional or the harm was merely accidental. This bill takes a more measured approach and would only impose such liability if the operator of a drone either *knowingly* or *recklessly* interferes with law enforcement or emergency responders. Second, AB 426 would have imposed that restriction on anyone operating a drone that impedes certain law enforcement and first responders “in the performance of their fire suppression, law enforcement, or emergency response duties.” Towards the end of the legislative process, opponents to AB 426 raised concerns that, as drafted, the measure would have potentially imposed liability on efforts to observe law enforcement in capacities outside of wildfire suppression – such as at protests or other events where law enforcement may be present. Seemingly in recognition of that concern, AB 1749 has taken a much narrower approach. This year’s attempt does not include reference to “law enforcement or emergency response duties.” As opposed to last year’s iteration, AB 1749 would therefore seem to only capture individuals who are aware that their drone operations are likely to impede important wildfire response efforts, or those that do so with the explicit aim of frustrating wildfire suppression efforts.

TechNet has assumed a position of oppose unless amended. While recognizing the author’s intent, TechNet raises concern that the bill may “inadvertently restrict legitimate, federally authorized drone operations that provide significant public and economic benefits.” They request an amendment to clearly “exempt drones operating pursuant to authorization by the Federal

Aviation Administration (FAA), including those engaged in commercial activities under established federal frameworks.” However, the amendment suggested by TechNet risks creating a significant loophole in the current measure. By its text it would exempt anyone who operates a drone “that is being used for commercial purposes” if they are in compliance with all applicable FAA rules, restrictions and exemptions, and all required FAA authorizations. This Committee is not ideally situated to speak to the breadth of potential regulations and restrictions imposed by the FAA. However it seems possible that a drone may be otherwise authorized for commercial purposes and meet FAA regulations and guidelines, and still impede the work of firefighters and other first responders, in violation of this bill’s provisions. Moreover, the examples provided by TechNet, namely that drones are used to assess damage, monitor fire perimeters, support search and rescue efforts, and assist with recovery and rebuilding activities, arguably would not fall under the bill’s scope assuming drones used in those efforts do not *negligently or recklessly* interfere with wildfire suppression efforts.

ARGUMENTS IN SUPPORT: This bill is supported by a number of law enforcement organizations and the City of San Diego Mayor Todd Gloria. In support of the bill, the California Professional Firefighters submit:

The devastating firestorms in Los Angeles County at the beginning of 2025 brought unprecedented devastation to our state, destroying thousands of homes and businesses totaling billions of dollars in damage. The heroic work of firefighters and other emergency personnel saved countless lives and structures through difficult and dangerous work protecting their communities, working in difficult and dangerous conditions for the greater good.

However, during the response an unmanned aerial device that was being operated during the area where firefighting aircraft were working to slow the blazes collided with a “super scooper” plane and caused significant damage as well as pulling it from service. These devices are flown by hobbyists seeking dramatic footage of an emergency incident and are simultaneously small enough to be difficult for pilots to see while flying and also capable of causing enough damage to ground the plane if the collision occurs in a sensitive area.

AB 1749 will impose civil liability onto individuals who operate a drone in an emergency area and impede emergency response while providing an exemption for necessary, licensed operation, ensuring that firefighters are able to carry out their lifesaving, dangerous work without the inhibition of civilian unmanned aircraft interference. For these reasons, **we are pleased to support this important measure.**

REGISTERED SUPPORT / OPPOSITION:

Support

American Medical Response West
Arcadia Police Officers' Association
Brea Police Association
Burbank Police Officers' Association
California Narcotic Officers' Association
California Professional Firefighters
California Reserve Peace Officers Association
California Special Districts Association

California State Sheriffs' Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Mayor Todd Gloria, City of San Diego
Murrieta Police Officers' Association
Newport Beach Police Association
Orange County Fire Authority
Palos Verdes Police Officers Association
Peace Officers Research Association of California (PORAC)
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association

Opposition

None on file

Analysis Prepared by: Manuela Boucher-de la Cadena / JUD. / (916) 319-2334