

- 3) Makes a person at the scene of an emergency with the intention to view the emergency 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.

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 either of the following:
 - a) A wildfire suppression, or law enforcement or emergency response efforts related to a wildfire suppression.
 - b) An emergency response related to an incident for which a TFR has been issued by the FAA.
- 2) Allows the Attorney General, county counsel, or city attorney to bring a civil action to enforce 1) above and authorizes the following for each violation:
 - a) a civil penalty not exceeding \$75,000 for each violation;
 - b) injunctive relief; and
 - c) reasonable attorney's fees and costs.

Background

Author's statement. According to the author, "AB 1749 is a simple, commonsense piece of legislation to provide additional protection to our first responders when responding to a wildfire emergency. By creating a civil penalty when an individual knowingly or recklessly interferes with wildfire suppression or an emergency response related to a wildfire, we disincentivize unlawful activity that could hamper an effective wildfire response. Additionally, this legislation avoids unnecessary criminalization by simply creating a civil penalty. According to the FAA, in recent years, there have been more than 100 documented cases of unauthorized drones flying near wildfires. In fact, during the Palisades wildfire response a super scooper aircraft was grounded for multiple days due to damage caused by a collision with an unauthorized drone. This legislation will protect firefighters and ensure uninterrupted wildfire response efforts from our first responders."

The use of drones in firefighting and emergency response. Unmanned aircraft systems, commonly known as drones, are tools that aid in wildfire management, search and rescue, crowd management and risk reduction for first responders. Drones used by the Department of Forestry and Fire Protection (CAL FIRE) are

equipped with high-zoom and wide-angle cameras, thermal imaging, aerial ignition capabilities and heavy cargo capacity and serve several functions when fighting fires. Pilots monitor thermal cameras to help crews battle wildfires through real-time fire hot spot detection. High-resolution aerial mapping can identify areas of highly flammable material and complete pre- and post-fire surveys of land to inform future fire prevention efforts.

Drones are also critical for search and rescue. Thermal cameras enhance the search capabilities for missing people, particularly in areas with low visibility or rugged terrain. Drones can also drop a series of glow sticks to create a visual path for rescuers to follow or deliver essential supplies to the scene. The drones are used to assess potential emergencies and reduce future risk to rescue personnel or other emergency responders.

Drone incursion warnings and consequences. In recent years, CAL FIRE has warned the public about the incursion of drones and other unmanned aerial systems into firefighting airspace. These incursions raise serious concern as they force the temporary suspension of critical aerial firefighting operations, as required by TFRs issued by the FAA. The FAA regularly implements TFRs around wildfire areas to protect the safety of aircraft participating in firefighting operations. All aircraft, including drones, are explicitly prohibited from entering these restricted areas unless they are operated by an agency directly involved in wildfire suppression efforts. Even when a TFR is not in effect, drone pilots are strongly urged to avoid flying near wildfires as it is a crime to interfere with the air attack operations.

When drones are detected within firefighting airspace, fire response agencies must ground their aircraft to mitigate the risk of a midair collision. Aircraft not only drop water and fire retardant, but also serve as lookouts to support firefighters on the ground. This delay in airborne response can allow fires to continue spreading and poses a significant threat to the safety of firefighters on the ground, residents, and properties in nearby communities. Aircraft do not resume flying until the airspace is deemed clear.

According to CAL FIRE, the U.S. Forest Service reported more than 200 drone sightings over active wildfires in 2025. More than half of these incidents occurred during the Eaton and Palisades fires in Southern California. In one case, a drone struck a Canadian “Super Scooper,” punching a hole in the aircraft’s wing and grounding it for several days for repairs.

CAL FIRE reminds the public that individuals who operate drones without proper authorization over wildfire-affected areas can be found in violation of federal, state, and local laws, regulations, and ordinances. Those who are determined to

have interfered with wildfire suppression efforts and/or endangered manned aircraft or people on the ground with a drone may face severe consequences. Under the FAA, operating a drone over active wildfires is a federal crime that can result in up to 12 months in prison and civil penalties of up to \$20,000.

Prior/Related Legislation

AB 426 (Dixon) of 2025 would have prohibited the operation of a drone at the site of an emergency that obstructs emergency response and authorized the Attorney General, a county counsel, or a city attorney to bring civil actions, as specified, for each violation. (Held in the Senate Appropriations Committee)

SB 807 (Gaines) Chapter 834, Statutes of 2016, grants civil immunity to local public entities, public employees, and unpaid volunteers and private entities that damage an unmanned aircraft system in the course of providing emergency services, as specified.

AB 1680 (Rodriguez) Chapter 817, Statutes of 2016 provides that it shall be a misdemeanor to use a drone to impede specified emergency personnel in the performance of their duties while handling an emergency.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT:

California Professional Firefighters
California Special Districts Association
California State Sheriffs' Association
Peace Officers Research Association of California

OPPOSITION:

None on file

ARGUMENTS IN SUPPORT: In support of this bill, the California Professional Firefighters writes that, "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....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.”

DUAL REFERRAL: Senate Emergency Management Committee & Senate Judiciary Committee