



# House of Representatives

General Assembly

**File No. 394**

January Session, 2025

Substitute House Bill No. 6289

*House of Representatives, April 1, 2025*

The Committee on Environment reported through REP. PARKER of the 101st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT AUTHORIZING THE USE OF DRONES TO ANALYZE, TREAT AND APPLY FERTILIZERS AND PESTICIDES TO CROPS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 22a-54 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (e) The following provisions shall govern the certification of aircraft  
5 applicators:

6 (1) No person shall apply, offer to apply or cause to be applied any  
7 pesticide or fertilizer by aircraft without a certificate or permit issued in  
8 accordance with the provisions of this subsection.

9 (2) Upon application of any person qualified to fly an aircraft, the  
10 commissioner may issue a certificate for the application of pesticides or  
11 fertilizers by aircraft. Application for said certificate shall be on forms  
12 provided by the commissioner and shall be accompanied by a fee of fifty  
13 dollars.

14 (3) The commissioner may issue a permit to the owner of any crop or  
15 land, or to a representative designated by such owner, for application of  
16 pesticides or fertilizers by a certified aircraft applicator. Application for  
17 said permit shall be on forms provided by the commissioner and shall  
18 be accompanied by a fee established by the commissioner by regulations  
19 adopted in accordance with the provisions of chapter 54 provided the  
20 fee shall be not less than twenty dollars. The commissioner may waive  
21 the application form and fee requirements imposed pursuant to  
22 regulations adopted in accordance with the provisions of chapter 54 in  
23 circumstances where application of broad spectrum chemical pesticides  
24 from the air is necessary to control specific vectors of human disease  
25 which pose an imminent threat to public health. The commissioner may  
26 require inspection of the crop or area and its immediate environs and  
27 approval as follows:

28 (A) For agricultural crops, nurseries and orchards, by the director of  
29 the Connecticut Agricultural Experiment Station;

30 (B) For rodent control, woodland spraying and mosquito control  
31 spraying, by the commissioner;

32 (C) For control of vectors of human disease, by the Commissioner of  
33 Public Health.

34 (4) The commissioner shall designate the kind and amount of  
35 pesticides permitted for use by aircraft. Permits for aircraft spraying in  
36 congested areas shall be issued only with the approval of the director of  
37 health of the municipality in which the operation is to be conducted  
38 except in circumstances where the commissioner determines that the  
39 application of broad spectrum chemical pesticides from the air is  
40 necessary to control specific vectors of human disease which pose an  
41 imminent threat to public health.

42 (5) (A) The commissioner, with the advice of the Commissioner of  
43 Transportation, may adopt such regulations as [he deems] are necessary  
44 for the protection of public health, aquatic and animal life and public  
45 and private property, governing:

- 46      [(A)] (i) The type of aircraft to be used;
- 47      [(B)] (ii) The hours during which aircraft may be so used;
- 48      [(C)] (iii) The wind and weather conditions under which aircraft  
49 spraying or dusting may be performed;
- 50      [(D)] (iv) The minimum area on which aircraft spraying or dusting  
51 may be done; and
- 52      [(E)] (v) The amount of public liability and property damage  
53 insurance to be carried by the aircraft applicator.
- 54      (B) Not later than March 1, 2026, the commissioner shall amend the  
55 regulations adopted pursuant to this subdivision to authorize the use of  
56 precision drones to analyze, treat and apply pesticides and fertilizers to  
57 crops and for the planting of seeds by any person who is: (i) Licensed  
58 by the Federal Aviation Administration to operate such a precision  
59 drone, and (ii) a licensed commercial or private pesticide applicator.
- 60      (6) No person may apply pesticides or fungicides by aircraft or by  
61 misting-type devices to shade tobacco crops within three hundred feet  
62 of an inhabited residential building for which a certificate of occupancy  
63 was issued prior to January 1, 1997, without the written permission of  
64 the owner of such building, except spray applications may be  
65 administered within the confines of the netting. This subdivision shall  
66 not apply to an application of pesticides or fungicides to land which was  
67 poled for the cultivation of shade tobacco between January 1, 1994, and  
68 January 1, 1997.

This act shall take effect as follows and shall amend the following sections:		
Section 1	from passage	22a-54(e)

**ENV**      *Joint Favorable Subst.*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill requires the Department of Energy and Environmental Protection (DEEP) to amend existing regulations regarding pesticide applications from precision drones. This is not anticipated to result in a cost as DEEP has the staff and expertise necessary to amend the regulations.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis****sHB 6289*****AN ACT AUTHORIZING THE USE OF DRONES TO ANALYZE, TREAT AND APPLY FERTILIZERS AND PESTICIDES TO CROPS.*****SUMMARY**

This bill requires the Department of Energy and Environmental Protection (DEEP) commissioner, by March 1, 2026, to amend existing regulations on pesticide applications from aircraft to allow qualifying applicators to use precision drones to (1) plant seeds and (2) analyze, treat, and apply pesticides and fertilizers to crops. Under the bill, this authority applies only to licensed commercial or private pesticide applicators who are Federal Aviation Administration (FAA)-licensed to operate precision drones (see BACKGROUND). (The bill does not define “precision drone.”)

EFFECTIVE DATE: Upon passage

**BACKGROUND*****FAA Drone Licenses***

Under FAA regulations, commercial drone pilots must have one of two FAA certifications, depending on the drone’s weight. To fly a drone weighing less than 55 pounds, prospective pilots must generally (1) obtain a remote pilot certificate and (2) pay a registration fee (14 C.F.R. § 107). To fly a drone weighing 55 pounds or more, prospective pilots must generally (1) acquire an exemption from the transportation secretary and a Certificate of Waiver or Authorization and (2) register their drone with the FAA (49 U.S.C. § 44807; 14 C.F.R. § 91).

***Federal Regulation of Agricultural Aircraft Operations***

The FAA regulates agricultural aircraft operations, which are generally defined as using aircraft, including drones, to (1) dispense certain substances and fertilizers and (2) engage in dispensing activities

that directly affect agriculture, horticulture, or forest preservation. To operate a drone under these regulations, applicators generally must obtain (1) an agricultural aircraft operator certificate, (2) a valid exemption based on the type of drone used, and (3) a specified airspace authorization or waiver (14 C.F.R. § 137).

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea    33    Nay   0    (03/14/2025)