

# 2022 DRONE SCORECARD

# MONTANA

RANK  
**9**  
TIED

**57**  
100

## STATE SCORE

Scores are on a 100-point scale; maximum points are noted in lower-right corners.

### Factors Helping the State Score

**25**  
25

#### Avigation Easement Law

Montana law creates an avigation easement, which means drone operators are protected from nuisance and trespass laws as long as their drones do not disturb people on the ground.<sup>1</sup>

**20**  
20

#### Task Force or Program Office

The state has a drone task force—the Montana Unmanned Aerial Systems (UAS) Council—overseen by the Montana Department of Transportation. The task force was created by Governor Steve Bullock’s executive order in 2019 and develops state-wide policy recommendations regarding residents’ property rights and privacy expectations.

**10**  
10

#### Law Vesting Landowners with Air Rights

Montana law expressly provides air rights to landowners, which reduces litigation risk for drone operators.<sup>2</sup>

### Factors Hindering the State Score

**0**  
30

#### Airspace Lease Law

Montana law does not allow public authorities to lease low-altitude airspace above state and local roads. An airspace lease law would allow state or local officials to create drone highways above these roadways.

**0**  
10

#### Sandbox

Montana does not have a drone sandbox. State officials should consider dedicating state facilities and airspace to commercial drone testing.

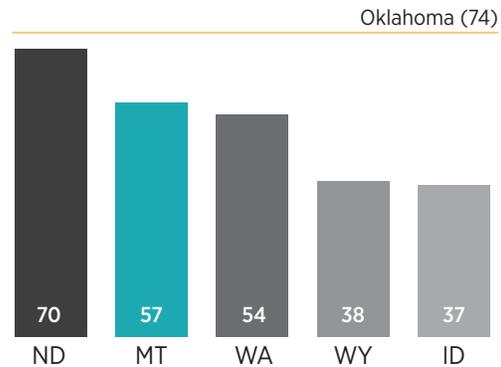
**2**  
5

#### Jobs Estimate

Montana is in the fourth quintile when it comes to the number of drone-related jobs per 100,000 people.

## Peer State Comparisons by Score

Commercial drone-readiness scores vary across the nation. To give state leaders and residents insight into how their state compares, we have provided the scores of four state peers. In most cases, these peers are neighboring states. (Top line illustrates the top score in 2022.)



## Definitions

### Airspace Lease Law

States receive points for having laws that allow state and local authorities to lease airspace above public roadways. These laws allow officials in the future to create drone highways safely, away from airports and residential areas.

### Avigation Easement Law

States receive points for expressly creating an avigation easement, meaning that drones (and planes) are free to fly over private property as long as they do not disturb those on the ground.

### Task Force or Program Office

States receive points if they have an active statewide task force or a program office dedicated to commercial drone services.

### Law Vesting Landowners with Air Rights

States receive points for expressly vesting landowners with air rights. This law reduces litigation risk by putting drone operators on notice that drone flights that are too low or disruptive to landowners are not permitted.

### Sandbox

States receive points if they have dedicated state facilities and airspace for commercial drone testing.

### Jobs Estimate

This score is based on the number of drone jobs per 100,000 people; estimated using ZipRecruiter data.

## Notes

1. MONT. CODE ANN. § 67-1-204 (2019).
2. § 67-1-203.