

## SB223 INTRODUCED



1 SB223  
2 EJL8Q92-1  
3 By Senator Carnley  
4 RFD: State Governmental Affairs  
5 First Read: 29-Jan-26



## SYNOPSIS:

Automatic Dependent Surveillance-Broadcast is a technology used in aircraft to provide real-time aircraft tracking for air traffic control purposes. The data may be used by government agencies, but may also be used by persons to impose fees and other charges on the owners or operators of aircraft.

This bill would prohibit the use of Automatic Dependent Surveillance-Broadcast data for the purpose of identifying aircraft in order to impose fees or other charges on the owners and operators of the aircraft.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to aviation; to limit the use of Automatic Dependent Surveillance-Broadcast (ADS-B) data to identify aircraft in order to assess fees or impose charges on owners or operators of the aircraft; and to provide enforcement and remedies.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may cited as the



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Limitation on Use of ADS-B Data Act.

Section 2. (a) The Legislature finds that Automatic Dependent Surveillance-Broadcast (ADS-B) systems are designed to enhance aviation safety, situational awareness, and efficiency by allowing aircraft to broadcast positional and status information to air traffic control and other appropriately equipped receivers.

(b) The Legislature further finds that the use of ADS-B data to identify specific aircraft for the purpose of assessing fees or otherwise imposing charges on the owners or operators of the aircraft raises privacy, fairness, and policy concerns unrelated to the safety purposes for which the system was developed.

(c) It is the purpose of this act to prohibit the use of ADS-B data to identify aircraft for the assessment of fees or the imposition of charges on owners or operators, while preserving the ability of aviation stakeholders to use ADS-B for safety, regulatory compliance, and operational purposes.

Section 3. For the purposes of this act, the following terms have the following meanings.

(1) ADS-B DATA. Any information contained in or derived from ADS-B broadcasts, including aircraft position, velocity, heading, identification codes or call signs, and other flight status information, which is collected, recorded, processed, or stored by public or private parties.

(2) AUTOMATIC DEPENDENT SURVEILLANCE-BROADCAST (ADS-B). A surveillance technology in which an aircraft determines its position from onboard navigation sources and automatically



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broadcasts that position and other ADS-B data via radio data link. The term includes both ADS-B Out transmissions from aircraft and ADS-B In reception of the broadcasts.

(3) FEE or CHARGE. Any monetary assessment, toll, tax, surcharge, or other required payment imposed on an aircraft owner or operator, including, without limitation, usage-based fees, distance-based fees, or access charges.

(4) GOVERNMENT AGENCY. Any department, agency, board, commission, authority, or other instrumentality of the state; any county or municipality within the state; or any political subdivision or public corporation thereof.

(5) PERSON. Any individual, partnership, corporation, limited liability company, association, organization, trust, estate, governmental entity, or other legal entity of any kind.

Section 4. (a) No person, including a government agency, shall use ADS-B data to identify an aircraft for the purpose of assessing a fee or otherwise imposing a charge on the owner or operator of the aircraft.

(b) The prohibition in subsection (a) applies when the ADS-B data is obtained:

- (1) Directly from broadcast reception;
- (2) Indirectly through third parties; or
- (3) From databases or services that compile or disseminate ADS-B information.

Section 5. Nothing in this act shall be construed to restrict:

- (1) The use of ADS-B data by air traffic control; the



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Federal Aviation Administration; or aviation service providers for safety of flight, traffic management, search and rescue, accident investigation, facility planning, or regulatory compliance purposes; or

(2) The voluntary, contractual use of ADS-B data by aircraft owners or operators with service providers for operational services, including flight following, maintenance, or safety analytics, provided the data is not used to identify the aircraft for the assessment of fees or charges on the owner or operator.

Section 6. (a) Any person aggrieved by a violation of Section 4 may bring a civil action in a court of competent jurisdiction for:

(1) Injunctive relief to prevent or restrain further violation;

(2) Actual damages, or statutory damages of up to five thousand dollars (\$5,000) per violation, whichever is greater; and

(3) Reasonable attorney fees and costs.

(b) The Attorney General may bring an action to enforce this act and seek:

(1) Civil penalties not to exceed ten thousand dollars (\$10,000) per violation;

(2) Injunctive relief; and

(3) Any other relief the court deems appropriate.

Section 7. This act shall not be construed to conflict with or impede any federal law, regulation, or function related to aviation safety, air traffic management, or the



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113 operation and maintenance of the national airspace system.  
114 Section 8. This act shall become effective on October  
115 1, 2026.