

SB223 INTRODUCED



1 SB223

2 EJL8Q92-1

3 By Senator Carnley

4 RFD: State Governmental Affairs

5 First Read: 29-Jan-26



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4 SYNOPSIS:

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

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

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18 A BILL

19 TO BE ENTITLED

20 AN ACT

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

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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



29 Limitation on Use of ADS-B Data Act.

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

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

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

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

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

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

SB223 INTRODUCED



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

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

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

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

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

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

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

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

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



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

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

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

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

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

103 (3) Reasonable attorney fees and costs.

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

106 (1) Civil penalties not to exceed ten thousand dollars
107 (\$10,000) per violation;

108 (2) Injunctive relief; and

109 (3) Any other relief the court deems appropriate.

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

SB223 INTRODUCED



113 operation and maintenance of the national airspace system.

114 Section 8. This act shall become effective on October
115 1, 2026.