

HB 3047 -2, -3 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 3/27

WHAT THE MEASURE DOES:

Provides exemption to crime of weaponized unmanned aircraft system (UAS) when certain circumstances are met. Requires projectile be other than bullet, used in compliance with specific authority from Federal Aviation Administration, with notice to Department of Aviation and Oregon State Police, and reasonable notice given to public of use in area open to public. Prohibits use of projectile for crowd management.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Removes requirement that projectile be other than bullet. Requires notification be given to any agency that issues a permit or license for the activity requiring the use of UAS, in addition to notice to Department of Aviation and Oregon State Police.

-3 Allows law enforcement agencies to use UAS to acquire information on accident scene, in addition to currently authorized crime scene.

BACKGROUND:

In 2013, the Oregon Legislature enacted House Bill 2710, which provides guidance and restrictions on the use of “drones” within Oregon. Drones, or UAS, are unmanned flying machines and may be as large as a small aircraft, or the size of a small bird. The initial legislation restricted law enforcement use of UAS to situations in which law enforcement has a warrant, with consent, or for search and rescue and emergency situations. It also created a civil right of action for individuals who do not want UAS operated over their property. House Bill 2354 in 2015 further modified the private right of action and changed the term “drone” to “unmanned aircraft system” throughout the statute to be consistent with federal law. HB 4066 in the 2016 session applied a prohibition on weaponizing UAS to all users for all purposes.

House Bill 3047 addresses emerging uses for UAS, such as planting seedlings from the air. The measure would exempt from the crime of weaponizing a UAS those who give notice to the Oregon State Police, the Department of Aviation, users in an area, and who are operating a drone under FAA authorization. The measure does not exempt the operator from other crimes or civil liability.