

HB 3047 -2, -3, -6 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 3/27, 4/10

WHAT THE MEASURE DOES:

Provides exemption to crime of weaponized unmanned aircraft system (UAS) when uses a UAS to fire a projectile other than bullet, complies with specific authorization from Federal Aviation Administration, notifies Department of Aviation and Oregon State Police, and provides reasonable notice to public if will use in area open to public. Prohibits use of projectile for crowd management.

ISSUES DISCUSSED:

- Need for research exception
- Why bullets were removed in the -2 amendment
- Why the -3 amendment is needed

EFFECT OF AMENDMENT:

-2 Allows exemption to apply to UAS capable of firing a 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.

REVENUE: No revenue impact

FISCAL: No fiscal impact

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

REVENUE: No revenue impact

FISCAL: No fiscal impact

-6 Eliminates agency notification requirement for educational institutions.

REVENUE: No revenue impact

FISCAL: No fiscal impact

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

This Summary has not been adopted or officially endorsed by action of the committee.

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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 seedings from the air. The measure would exempt from the crime of weaponizing a UAS those who use projectiles other than bullets on the UAS, notify the Oregon State Police and Department of Aviation at least five days before using the UAS, provide reasonable notice to the public if using the UAS in a public area, and operate the UAS under FAA authorization. The measure does not exempt the operator from other crimes or civil liability.