

HB 3049 A STAFF MEASURE SUMMARY

Carrier: Rep. Huffman

House Committee On Judiciary

Action Date: 04/18/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 8-2-1-0

Yeas: 8 - Barker, Gorsek, Greenlick, Lininger, Olson, Sanchez, Vial, Williamson

Nays: 2 - Post, Stark

Exc: 1 - Sprenger

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Whitney Perez, Counsel

WHAT THE MEASURE DOES:

Prohibits operator of unmanned aircraft system from entering boundaries of privately owned premises in manner to harass or unreasonably annoy owner or occupant. Provides exception. Declares emergency; effective on passage.

ISSUES DISCUSSED:

- Other applicable laws
- Intersection with federal law
- Changes made in the -3 amendment

EFFECT OF AMENDMENT:

Replaces measure.

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 3049-A creates a Class B violation for operating UAS over privately owned premises in a manner to harass or unreasonably annoy the owner or occupant. It excludes UAS operated by law enforcement agencies.