

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO  
SENATE BILL 581**

1 In line 2 of the printed bill, after “ORS” insert “837.360 and”.

2 Delete lines 4 through 23 and insert:

3 **“SECTION 1.** ORS 837.374 is amended to read:

4 “837.374. (1) A person commits a Class A violation if the person possesses  
5 or controls an unmanned aircraft system and recklessly causes the unmanned  
6 aircraft system to:

7 “[~~(1)~~] (a) Direct a laser at an aircraft while the aircraft is in the air;

8 “[~~(2)~~] (b) Crash into an aircraft while the aircraft is in the air; or

9 “[~~(3)~~] (c) Prevent the takeoff or landing of an aircraft.

10 **“(2) A person commits a Class A misdemeanor if the person pos-**  
11 **sesses or controls an unmanned aircraft system and knowingly or in-**  
12 **entionally causes the unmanned aircraft system to:**

13 **“(a) Direct a laser at an aircraft while the aircraft is in the air;**

14 **“(b) Crash into an aircraft while the aircraft is in the air; or**

15 **“(c) Prevent the takeoff or landing of an aircraft.**

16 **“(3) Notwithstanding subsection (1) of this section, a person com-**  
17 **mits a Class A misdemeanor if the person violates subsection (1) of**  
18 **this section and the person has one or more convictions under sub-**  
19 **section (1) of this section at the time of the offense.**

20 **“(4) In addition to and not in lieu of any other sentence the court**  
21 **may impose, upon a person’s second or subsequent conviction under**

1 **this section, the court shall, at the time of sentencing, declare the**  
2 **unmanned aircraft system used in the offense to be contraband and**  
3 **order that the unmanned aircraft system be forfeited.**

4 **“SECTION 2.** ORS 837.360 is amended to read:

5 **“837.360. (1) As used in this section, ‘educational institution’ means**  
6 **an education service district, school district, public charter school,**  
7 **community college or public university listed in ORS 352.002.**

8 **“[(1)] (2)(a) A public body, other than an educational institution,** may  
9 not operate an unmanned aircraft system in the airspace over this state  
10 without registering the unmanned aircraft system with the Oregon Depart-  
11 ment of Aviation.

12 **“(b) An educational institution may not operate an unmanned air-**  
13 **craft system in the airspace over this state without registering as a**  
14 **user of unmanned aircraft systems with the department. The depart-**  
15 **ment may not require an educational institution to register individual**  
16 **unmanned aircraft systems under this section.**

17 **“[(2)] (3) The Oregon Department of Aviation may impose a civil penalty**  
18 **of up to \$10,000 against a public body that violates subsection [(1)] (2) of this**  
19 **section.**

20 **“[(3)] (4) Evidence obtained by a public body through the use of an un-**  
21 **manned aircraft system in violation of subsection [(1)] (2) of this section is**  
22 **not admissible in any judicial or administrative proceeding and may not be**  
23 **used to establish reasonable suspicion or probable cause to believe that an**  
24 **offense has been committed.**

25 **“[(4)] (5)(a) The Oregon Department of Aviation shall establish a registry**  
26 **of unmanned aircraft systems [operated by public bodies] registered under**  
27 **subsection (2)(a) of this section and may charge a fee sufficient to reim-**  
28 **burse the department for the maintenance of the registry.**

29 **“(b) The department may not charge a fee to an educational insti-**  
30 **tution under this subsection.**

1        “[5] (6) The Oregon Department of Aviation shall require the following  
2 information for registration of an unmanned aircraft system **under sub-**  
3 **section (2)(a) of this section:**

4        “(a) The name of the public body that owns or operates the unmanned  
5 aircraft system.

6        “(b) The name and contact information of the individuals who operate the  
7 unmanned aircraft system.

8        “(c) Identifying information for the unmanned aircraft system as required  
9 by the department by rule.

10       “[6] (7)(a) A public body that registers one or more unmanned aircraft  
11 systems under **subsection (2)(a) of this section** shall provide an annual re-  
12 port to the Oregon Department of Aviation that:

13       “[a] (A) Summarizes the frequency of use of the unmanned aircraft sys-  
14 tems by the public body during the preceding calendar year;

15       “[b] (B) Summarizes the purposes for which the unmanned aircraft sys-  
16 tems have been used by the public body during the preceding calendar year;  
17 and

18       “[c] (C) Indicates how the public can access the policies and procedures  
19 established under ORS 837.362.

20       **“(b) The department shall adopt rules requiring an educational in-**  
21 **stitution that registers as a user of unmanned aircraft systems under**  
22 **subsection (2)(b) of this section to maintain records of the educational**  
23 **institution’s use of unmanned aircraft systems.**

24       “[7] (8) The State Aviation Board may adopt all rules necessary for the  
25 registration of unmanned aircraft systems in Oregon that are consistent with  
26 federal laws and regulations.

27       **“SECTION 3. The amendments to ORS 837.374 by section 1 of this**  
28 **2019 Act apply to violations of ORS 837.374 occurring on or after the**  
29 **effective date of this 2019 Act.”.**

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