

SB 810 STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Senate Committee On Judiciary

Action Date: 03/20/23

Action: Do pass.

Vote: 4-0-1-0

Yeas: 4 - Gelser Blouin, Linthicum, Manning Jr, Prozanski

Exc: 1 - Thatcher

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

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Meeting Dates: 2/15, 3/20

WHAT THE MEASURE DOES:

Changes and clarifies penalties for using unmanned aircraft systems (UAS) to direct a laser at an aircraft while it is in the air, crash into an aircraft while it is in the air, or prevent the takeoff or landing of an aircraft. Specifies that a knowing or intentional violation is a Class A misdemeanor, but is elevated to a Class A felony if the person knowingly, intentionally, or recklessly causes death or serious physical injury with the interference.

ISSUES DISCUSSED:

- Possible additional penalty category for violation which results in delay of an aircraft or minor injuries
- Tidying other provisions relating to firing a bullet or projectile from an unmanned aircraft system

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

An unmanned aircraft system (UAS) is sometimes referred to as a drone or an uncrewed aircraft system. Two statutes currently have conflicting penalties for the same crime of intentionally using a UAS to interfere with an aircraft's operation: it is a Class A misdemeanor under ORS 837.374, while it is a Class A felony under ORS 837.995. There is currently no different penalty classification for when a person knowingly, intentionally, or recklessly causes serious physical injury or death by the interference. Reckless interference is a Class A violation.

Senate Bill 810 clarifies that using an unmanned aircraft system to intentionally interfere with an aircraft in specified ways is a Class A misdemeanor and is elevated to a Class A felony for knowingly, intentionally, or recklessly causing serious physical injury or death.