

SB 1125 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 3/12, 3/19

WHAT THE MEASURE DOES:

The measure creates a Class A felony for intentionally, knowingly, or recklessly causing death or serious physical injury by causing an unmanned aircraft system to interfere with a law enforcement, emergency response, or wildfire suppression effort. The measure applies to conduct occurring on or after the effective date.

FISCAL: Has minimal fiscal impact.

REVENUE: Has minimal revenue impact.

ISSUES DISCUSSED:

- Prior legislation concerning privacy issues
- FAA restrictions and preemption circumstances
- Definition of interference
- Whether the measure would apply to delivery of contraband to prisons

EFFECT OF AMENDMENT:

-1 The amendment retains the measure's creation of a Class A felony for causing death or serious physical injury by causing interference with a law enforcement, emergency response or wildfire suppression effort. It also increases criminal penalties for causing an unmanned aircraft system to interfere with wildfire suppression efforts, and for causing property damage with such interference.

Detailed Summary

- Makes interference with a law enforcement, emergency response, or wildfire suppression effort a Class A felony, when the person knowingly, intentionally or recklessly causes death or serious physical injury with an unmanned aircraft system (UAS) in specified circumstances.
- Increases criminal penalties for knowingly, intentionally or recklessly causing the UAS to interfere with an emergency response effort for wildfire suppression as follows:
 - Class C Felony for causing the interference.
 - Class B Felony for causing property damage by causing the interference.
- Applies to conduct occurring on or after the effective date.

BACKGROUND:

Unmanned aircraft systems (UAS), commonly called drones, have occasionally interfered with fire suppression and emergency response efforts in Oregon. The U.S. Forest Service [reported](#) instances of UAS interference with wildfire suppression efforts in Oregon in 2017 and 2018. In [September 2022](#), the Oregon Department of Forestry's Southwest Oregon District Office temporarily suspended use of a helicopter as part of structural fire response due to UAS interference. In [June of 2024](#), UAS interference grounded an aircraft that was responding to the Applegate Fire in Jackson County. Another such incident occurred in [January](#) of this year while firefighters were attempting to respond to the Palisades fires in California; a UAS left a football-sized hole in the wing of a water-dropping "super scooper."

The Federal Aviation Administration (FAA) regulates the national airspace, and drones are considered aircraft under the FAA's jurisdiction. Federal law prohibits knowingly or recklessly interfering with wildfire suppression, law enforcement, or emergency response efforts by operation of unmanned aircraft. 49 U.S.C. § 46320. House Bill

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

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2520 (2023) added state criminal penalties for recklessly causing interference with wildfire suppression, law enforcement, or emergency response efforts by a person that possesses or controls an unmanned aircraft system. As a result, ORS 837.374 currently makes it a Class A violation for a person possessing or controlling an unmanned aircraft system to recklessly cause interference with wildfire suppression efforts. Also in 2023, Senate Bill 810 (2023) created a Class A felony for knowingly, intentionally or recklessly causing death or serious physical injury by interfering with other aircraft. Senate Bill 1125 would add interference with wildfire suppression, law enforcement, or emergency response efforts that causes death or serious physical injury into the Class A felony, and would increase all penalties for wildfire suppression interference by UAS to the felony level.