

# Senate Bill 1186

Sponsored by Senator GORSEK

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act changes the laws about the use of drones by law enforcement. (Flesch Readability Score: 76.5).

Modifies provisions relating to the use of unmanned aircraft systems by law enforcement agencies.

## A BILL FOR AN ACT

1  
2 Relating to unmanned aircraft systems; amending ORS 837.320 and 837.370; and repealing ORS  
3 837.330, 837.335 and 837.340.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 837.320 is amended to read:

6 837.320. *[(1) A law enforcement agency may operate an unmanned aircraft system, acquire infor-*  
7 *mation through the operation of an unmanned aircraft system, or disclose information acquired through*  
8 *the operation of an unmanned aircraft system, if:]*

9 *[(a) A warrant is issued authorizing use of an unmanned aircraft system; or]*

10 *[(b) The law enforcement agency has probable cause to believe that a person has committed a crime,*  
11 *is committing a crime or is about to commit a crime, and exigent circumstances exist that make it un-*  
12 *reasonable for the law enforcement agency to obtain a warrant authorizing use of an unmanned aircraft*  
13 *system.]*

14 *[(2) A warrant authorizing the use of an unmanned aircraft system must specify the period for*  
15 *which operation of the unmanned aircraft system is authorized. In no event may a warrant provide for*  
16 *the operation of an unmanned aircraft system for a period of more than 30 days. Upon motion and good*  
17 *cause shown, a court may renew a warrant after the expiration of the 30-day period.]*

18 **(1) A law enforcement agency may operate an unmanned aircraft system, acquire infor-**  
19 **mation through the operation of an unmanned aircraft system or disclose information ac-**  
20 **quired through the operation of an unmanned aircraft system, in connection with lawful**  
21 **police activity, including but not limited to when the law enforcement agency is:**

22 **(a) Responding to any call for law enforcement service.**

23 **(b) Responding to a public safety emergency in which personal injury or damage to**  
24 **property could occur.**

25 **(c) Conducting search and rescue operations.**

26 **(d) Training as provided in ORS 837.345.**

27 **(e) Obtaining information about a property when the property owner has consented.**

28 **(2) A law enforcement agency may operate an unmanned aircraft system not in con-**  
29 **nection with police activity only if all cameras on the unmanned aircraft system are:**

30 **(a) Stowed; or**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1       **(b) Positioned to provide situational awareness for flight and used only for airspace de-**  
2 **confliction.**

3       **SECTION 2.** ORS 837.370 is amended to read:

4       837.370. (1) [*Except as provided in subsection (2) of this section,*] A person may not operate an  
5 unmanned aircraft system over the boundaries of privately owned premises in a manner so as to  
6 intentionally, knowingly or recklessly harass or annoy the owner or occupant of the privately owned  
7 premises.

8       [*(2) Subsection (1) of this section does not apply to the use of an unmanned aircraft system by a*  
9 *law enforcement agency under ORS 837.335.*]

10       [(3)(a)] **(2)(a)** Except as provided in paragraphs (b) and (c) of this subsection, violation of sub-  
11 section (1) of this section is a Class B violation.

12       (b) If, at the time of the offense, the person has one prior conviction under this section, violation  
13 of subsection (1) of this section is a Class A violation.

14       (c) If, at the time of the offense, the person has two or more prior convictions under this section,  
15 violation of subsection (1) of this section is a Class B misdemeanor.

16       (d) If the court imposes a sentence of probation for a violation under paragraph (c) of this sub-  
17 section, the court may order as a condition of probation that the person may not possess an un-  
18 manned aircraft system.

19       **SECTION 3. ORS 837.330, 837.335 and 837.340 are repealed.**

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