

**Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session**  
**STAFF MEASURE SUMMARY**  
**House Committee On Judiciary**

**MEASURE: HB 2354 A**  
**CARRIER: Rep. Huffman**

**Fiscal:** No Fiscal Impact

**Revenue:** No Revenue Impact

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**Action Date:** 04/13/15

**Action:** Do Pass As Amended And Be Printed Engrossed.

**Meeting Dates:** 04/13

**Vote:**

Yeas: 8 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Sprenger, Williamson

Nays: 1 - Post

**Prepared By:** Channa Newell, Counsel

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**WHAT THE MEASURE DOES:**

Removes 400-foot zone for civil actions against operators of unmanned aircraft system flying over private property. Changes drone to “unmanned aircraft system” for consistency with federal language.

**ISSUES DISCUSSED:**

- Work group efforts on potential changes
- Consistency with federal regulations
- Greater protections to individuals who do not want drones over property
- Difficulty for individual to identify owner of aircraft operating over property
- Need for term “drone” to appear in statute for ease of research

**EFFECT OF COMMITTEE AMENDMENT:**

Replaces measure.

**BACKGROUND:**

In 2013, the Oregon Legislature enacted House Bill 2710, which provided guidance and restrictions on the use of “drones” within Oregon. Drones are unmanned flying machines, but do not include model aircraft. Drones may be as large as a small aircraft, or the size of a small bird. House Bill 2710 restricted law enforcement use of drones to situations in which law enforcement has a warrant, with consent, or for search and rescue and emergency situations. It created a civil right of action for individuals who do not want drones operated over their property. The operator must have flown the drone at an elevation of less than 400 feet over the person’s property on at least one other occasion and been notified by the person not to do so. The successful plaintiff may recover treble damages and attorney fees.

House Bill 2354 A removes the 400-foot restriction, thereby allowing an action to be commenced regardless of the height at which a drone is flown over property. In addition, the measure changes the term “drone” to “unmanned aircraft system” throughout the statute to be consistent with federal law.