

HB 2688 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 2/21

WHAT THE MEASURE DOES:

Allows a private right of action by a property owner against a person who flew an Unmanned Aircraft System (UAS), over the property without permission to do so, except as statutorily authorized for law enforcement, search and rescue, or crime scene investigation purposes. Removes prerequisite of repeat occurrence after notification by the property owner not to fly the UAS over the property.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under ORS 837.370, it is crime punishable as a Class B violation to operate a UAS (a drone) over private property in a manner so as to intentionally, knowingly, or recklessly harass or annoy the owner or occupant. It is Class A violation the offender was already convicted of the offense once, and a Class B misdemeanor if the person has two or more prior convictions of the offense.

ORS 837.380 also provides a private right of action against a UAS operator who has previously flown over the property at less than 400 feet, and who has been notified that the property owner did not want the UAS flown over the property.

House Bill 2688 would allow a private right of action by a property owner against a person who flew a UAS over the property without permission to do so.