

SB 812 -2 STAFF MEASURE SUMMARY

Senate Committee On Natural Resources

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Meeting Dates: 2/22, 3/20

WHAT THE MEASURE DOES:

Authorizes a local government to enact an ordinance or resolution prohibiting the takeoff and landing of unmanned aircraft systems in parks owned by the local government.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Replaces the measure. Authorizes a local government to enact an ordinance or resolution prohibiting the takeoff and landing of unmanned aircraft systems (UAS) in parks owned by the local government. Requires that an ordinance: allow utility providers a reasonable ability to use UAS in parks to inspect utility lines; allow public bodies to use UAS in parks for emergency operations; and provide for an affirmative defense to a charge or claim of a violation of the ordinance when a person performs an emergency landing of a UAS in a park in the absence of an equally safe alternative.

FISCAL: No fiscal impact

REVENUE: No revenue impact

BACKGROUND:

Unmanned aircraft systems (UAS), commonly known as drones, are aircraft that can be controlled remotely by a pilot or preprogrammed to fly autonomously. In 2012, Congress tasked the Federal Aviation Administration (FAA) with regulating UAS and integrating them into the national airspace system. Over the last decade, the FAA has established numerous rules for commercial, government, and recreational users, including airspace restrictions near stadiums, sporting events, airports, emergency and rescue operations, national security sensitive facilities, and Washington, D.C.

In Oregon, the Legislative Assembly enacted its first UAS laws in 2013 through House Bill 2710, which established provisions related to the use of UAS by law enforcement agencies, educational institutions, and state and local government, and established other prohibitions and penalties. In addition, the legislature vested the authority to regulate ownership and operation of unmanned aircraft systems solely in the Legislative Assembly, preempting local governments from enacting similar laws.

In 2021, the legislature enacted Senate Bill 109 directing the Oregon Parks and Recreation Commission to manage UAS use by people in state parks to protect the sometimes conflicting values of natural, cultural, scenic, and recreational resources on park property or adjacent areas while providing for enjoyment of UAS recreational use.

Senate Bill 812 would authorize a local government to prohibit the takeoff and landing of unmanned aircraft systems in parks owned by the local government.