

SB 1125 A -A2, -A4 STAFF MEASURE SUMMARY

House Committee On Rules

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WHAT THE MEASURE DOES:

The measure 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). It increases criminal penalties for knowingly, intentionally or recklessly causing the UAS to interfere with an emergency response effort for wildfire suppression to a Class C felony for causing the interference, and to a Class B Felony for causing property damage by causing the interference. The measure applies to conduct occurring on or after the effective date.

FISCAL: Has minimal fiscal impact

REVENUE: Has minimal revenue impact

ISSUES DISCUSSED:

- Interference incidents
- Deterrent effect of criminal penalties

EFFECT OF AMENDMENT:

-A2 The amendment incorporates provisions from HB 3426 A (2025), makes conforming changes to the measure, and removes the Class B felony from the measure.

Detailed Summary

- Adds search and rescue and all firefighting response efforts to public safety activities protected from UAS interference.
- Creates a Class B Misdemeanor for recklessly causing UAS interference with a law enforcement, firefighting, search and rescue or emergency response effort, instead of a Class A Violation, and elevates a subsequent offense to a Class A Misdemeanor.
- Establishes a Class C Felony for intentionally or knowingly causing the UAS to interfere with a law enforcement, firefighting, search and rescue or emergency response effort.
- Removes reckless causation from the Class C Felony.
- Removes the Class B felony for causing property damage from the measure.
- Increases penalties to a Class A Felony for knowingly, intentionally, or recklessly causing death or serious physical injury by causing the UAS to interfere with a law enforcement, firefighting, search and rescue or emergency response effort.

FISCAL: Has minimal fiscal impact

REVENUE: Has minimal revenue impact

-A4 The amendment incorporates the -A2 amendment and it also combines and revises laws allowing law enforcement to use a UAS, and specifies limitations and requirements.

Detailed Summary

Warrants and exigent circumstances

- Incorporates existing authorizations to use a UAS as authorized by a warrant issued by a court.

- Incorporates existing authorization to use a UAS in responding to exigent circumstances that make it unreasonable to obtain a warrant authorizing UAS use, if probable cause exists to believe that a person has committed a crime, is committing a crime, or is about to commit a crime.

Responding to calls for service

- Permits law enforcement to use a UAS in responding to a call for law enforcement services originating from the public via a 9-1-1 call or a dispatch from a law enforcement officer processed by a public safety answering point.
- Requires reasonable suspicion that the criminal conduct will occur imminently, is occurring or has recently occurred and the UAS is necessary to protect public safety or gather evidence of a crime.
- Explicitly limits the authorization to the specific incident and location relevant to the call for service.
- Prohibits data collected through the UAS for this purpose to be used for general surveillance or retained more than 30 days unless directly relevant to an ongoing criminal investigation.

Responding to a public safety emergency

- Allows law enforcement to use a UAS in responding to a public safety emergency when there is reasonable suspicion that personal injury or damage to property has occurred or will occur.
- Makes explicit that a lawful assembly is not itself a public safety emergency, for purposes of UAS authorization.

Training, search and rescue, and reconstruction of a crime scene

- Incorporates ORS 837.340, authorizing UAS use for up to five days in reconstructing a specific crime scene or accident scene.
- Incorporates existing authorization to use a UAS to assist in search and rescue operations and for conducting training on UAS use.

Permission from an individual or property owner

- Incorporates ORS 837.330, allowing law enforcement use of a UAS to obtain information about the individual or the individual's property with written consent of the individual.

Execution of a warrant

- Permits use of a UAS in the execution of an arrest warrant, limited to a location where law enforcement has reasonable suspicion to believe the subject of an arrest warrant is present.
- Removes the definition of warrant in ORS 837.300 that refers only to a search warrant.

Travel to and from authorized locations

- Permits law enforcement to operate a UAS to travel to and from an authorized location, if the cameras are stowed, or positioned and used only for airspace deconfliction during such travel.

Documentation and recordkeeping

- Requires law enforcement to document the UAS flight and the justification for use, and to retain the documentation in accordance with the law enforcement agency's recordkeeping and retention requirements.

Limitations on use

- Limits law enforcement use to the specific location and with regard to the specific incident for which use is authorized by law, and for collecting and preserving evidence.
- Prohibits use for the following:
 - traffic enforcement, except for active pursuit of a fleeing suspect;
 - surveillance or monitoring of individuals, property or public areas, if not otherwise authorized by the measure;
 - to record a lawful assembly;

- in violation of the Oregon or United States Constitution;
- collecting or sharing information in a manner prohibited by ORS 181A.250, regarding constitutionally protected freedoms, or ORS 180.805 and ORS 181A.820, regarding immigration information and enforcement.

Recording and sharing limitations

- Limits law enforcement agencies and law enforcement officers from providing images, video or sound collected by a UAS to anyone other than the Oregon Department of Justice, or Oregon's state or local law enforcement agencies or district attorneys, unless a warrant or other judicial order authorizes the release.

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

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

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 2024](#), UAS interference grounded an aircraft that was responding to the Applegate Fire in Jackson County. Another such incident occurred in [January 2025](#) 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 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 created a Class A felony for knowingly, intentionally or recklessly causing death or serious physical injury by interfering with other aircraft. Senate Bill 1125 A increases penalties for UAS interference with a wildfire response effort.