

A-Engrossed
House Bill 3426

Ordered by the House April 15
Including House Amendments dated April 15

Sponsored by Representative BOICE

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that it is an offense to use a drone to interfere with firefighting and search and rescue activities. The Act changes some penalties for use of drones. (Flesch Readability Score: 67.0).

[Digest: The Act says that it is an offense to use a drone to interfere with firefighting and search and rescue activities. (Flesch Readability Score: 60.6).]

Expands offenses relating to the use of an unmanned aircraft system to interfere with official duties to include firefighting and search and rescue efforts. **Modifies penalties for using an unmanned aircraft system to interfere with law enforcement, firefighting, search and rescue or emergency response efforts.**

A BILL FOR AN ACT

Relating to unmanned aircraft systems; amending ORS 837.374.

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

SECTION 1. ORS 837.374 is amended to read:

837.374. (1) Except as provided in subsection [(3)] **(5)** of this section, a person commits a Class A violation if the person possesses or controls an unmanned aircraft system and recklessly causes the unmanned aircraft system to:

(a) Direct a laser at an aircraft while the aircraft is in the air;

(b) Crash into an aircraft while the aircraft is in the air; **or**

(c) Prevent the takeoff or landing of an aircraft[; *or*]

[(d) Interfere with a wildfire suppression, law enforcement or emergency response effort].

(2) A person commits a Class B misdemeanor if the person possesses or controls an unmanned aircraft system and recklessly causes the unmanned aircraft system to interfere with a law enforcement, firefighting, search and rescue or emergency response effort.

[(2)] **(3)** Except as provided in subsection [(3)] **(5)** of this section, a person commits a Class A misdemeanor if the person possesses or controls an unmanned aircraft system and knowingly or intentionally causes the unmanned aircraft system to:

(a) Direct a laser at an aircraft while the aircraft is in the air;

(b) Crash into an aircraft while the aircraft is in the air; **or**

(c) Prevent the takeoff or landing of an aircraft[; *or*]

[(d) Interfere with a wildfire suppression, law enforcement or emergency response effort].

(4) A person commits a Class C felony if the person possesses or controls an unmanned aircraft system and knowingly or intentionally causes the unmanned aircraft system to interfere with a law enforcement, firefighting, search and rescue or emergency response effort.

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 [(3)] **(5)** A person commits a Class A felony if the person possesses or controls an unmanned
2 aircraft system and knowingly, intentionally or recklessly causes death or serious physical injury,
3 as defined in ORS 161.015, to another person by causing the unmanned aircraft system to:

4 (a) Direct a laser at an aircraft while the aircraft is in the air;

5 (b) Crash into an aircraft while the aircraft is in the air; or

6 (c) Prevent the takeoff or landing of an aircraft.

7 [(4)] **(6)** Notwithstanding [*subsection*] **subsections** (1) **and** (2) of this section, a person commits
8 a Class A misdemeanor if the person violates subsection (1) **or** (2) of this section and the person
9 has one or more convictions under subsection (1) **or** (2) of this section at the time of the offense.

10 [(5)] **(7)** In addition to and not in lieu of any other sentence the court may impose, upon a
11 person's second or subsequent conviction under this section, the court shall, at the time of sen-
12 tencing, declare the unmanned aircraft system used in the offense to be contraband and order that
13 the unmanned aircraft system be forfeited.

14