

Requested by Representative BOICE

**PROPOSED AMENDMENTS TO
HOUSE BILL 3426**

1 On page 1 of the printed bill, delete lines 4 through 30 and delete page
2 2 and insert:

3 **“SECTION 1.** ORS 837.374 is amended to read:

4 “837.374. (1) Except as provided in subsection [(3)] (5) of this section, a
5 person commits a Class A violation if the person possesses or controls an
6 unmanned aircraft system and recklessly causes the unmanned aircraft sys-
7 tem to:

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

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

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

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

13 **“(2) A person commits a Class B misdemeanor if the person pos-
14 sesses or controls an unmanned aircraft system and recklessly causes
15 the unmanned aircraft system to interfere with a law enforcement,
16 firefighting, search and rescue or emergency response effort.**

17 “[~~(2)~~] (3) Except as provided in subsection [(3)] (5) of this section, a per-
18 son commits a Class A misdemeanor if the person possesses or controls an
19 unmanned aircraft system and knowingly or intentionally causes the un-
20 manned aircraft system to:

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

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

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

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

5 “(4) **A person commits a Class C felony if the person possesses or**
6 **controls an unmanned aircraft system and knowingly or intentionally**
7 **causes the unmanned aircraft system to interfere with a law enforce-**
8 **ment, firefighting, search and rescue or emergency response effort.**

9 “[*(3)*] (5) A person commits a Class A felony if the person possesses or
10 controls an unmanned aircraft system and knowingly, intentionally or
11 recklessly causes death or serious physical injury, as defined in ORS 161.015,
12 to another person by causing the unmanned aircraft system to:

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

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

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

16 “[*(4)*] (6) Notwithstanding [*subsection*] **subsections (1) and (2)** of this
17 section, a person commits a Class A misdemeanor if the person violates
18 subsection (1) **or (2)** of this section and the person has one or more con-
19 victions under subsection (1) **or (2)** of this section at the time of the offense.

20 “[*(5)*] (7) In addition to and not in lieu of any other sentence the court
21 may impose, upon a person’s second or subsequent conviction under this
22 section, the court shall, at the time of sentencing, declare the unmanned
23 aircraft system used in the offense to be contraband and order that the un-
24 manned aircraft system be forfeited.”.

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