

# DRAFT

## SUMMARY

Prohibits release of sky lantern in Oregon airspace. Makes violation subject to maximum penalty of \$2,000 fine.

### A BILL FOR AN ACT

Relating to sky lanterns; creating new provisions; and amending ORS 477.512.

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

**SECTION 1. (1) As used in this section, “sky lantern” means an unmanned self-contained luminary device that uses heated air produced by an open flame or produced by another source to become or remain airborne.**

**(2) A person may not release a sky lantern into the airspace of this state.**

**(3) Violation of this section is a Class A violation.**

**(4) In addition to any enforcement officer specifically identified in ORS 153.005, a citation for a violation of this section may be issued by:**

**(a) The State Fire Marshal, employees of the office of the State Fire Marshal or assistants to the State Fire Marshal as described in ORS 476.040 or 476.060;**

**(b) The Director of the Oregon Department of Aviation or employees specifically designated by the director under ORS 837.100 to enforce violations;**

**(c) The State Forester or the State Forestry Department, or any employee specifically designated by the State Forester or the depart-**

1 **ment under ORS 477.985 to enforce violations; or**

2 **(d) The State Parks and Recreation Director or any State Parks and**  
3 **Recreation Department employee specifically designated by the direc-**  
4 **tor under ORS 390.050 to enforce violations.**

5 **SECTION 2.** ORS 477.512 is amended to read:

6 477.512. (1) As used in this section:

7 (a) “Exploding target” means a device:

8 (A) Designed for use or used as a target for small arms ammunition or  
9 for other projectiles;

10 (B) Consisting of a flammable substance or flammable combination of  
11 substances; and

12 (C) Capable of exploding when struck by small arms gunfire or by other  
13 projectiles.

14 [(b) “Sky lantern” means an unmanned self-contained luminary device that  
15 uses heated air produced by an open flame or produced by another source to  
16 become or remain airborne.]

17 [(c)] (b) “Small arms” means a shotgun, rifle, pistol or revolver.

18 [(d)] (c) “Tracer ammunition” means a bullet that contains a flammable  
19 substance designed to ignite upon firing of the bullet and to burn with suf-  
20 ficient brightness to allow observation of the bullet trajectory.

21 (2) A person violates this section if, during a fire season declared under  
22 ORS 477.505 for a forest protection district or a part of a forest protection  
23 district:

24 (a) The person [*releases a sky lantern or*] discharges an exploding target  
25 or tracer ammunition on land that is inside the district or is within one-  
26 eighth of a mile of the district; or

27 (b) [*A sky lantern released by the person or*] Tracer ammunition discharged  
28 by the person crosses above land that is inside the district or is within  
29 one-eighth of a mile of the district.

30 (3) Violation of this section is a Class A violation. In addition to any  
31 enforcement officer specifically identified in ORS 153.005, the State Fire

1 Marshal, the State Forestry Department or the State Forester may issue a  
2 citation for a violation under this section.

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