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Civil liberties protections strengthened in drones legislation

HB 2710A enacts common sense regulations on use of unmanned aerial vehicles by law enforcement

SALEM—This morning the Oregon Senate passed legislation that regulates how law enforcement agencies may use drone technology, giving Oregonians additional civil liberties protections. House Bill 2710A, which passed on a vote of 23-5 with two excused, establishes a strict set of rules for law enforcement agencies to use drones in order to protect Oregonians' privacy.

Drones, also known as 'unmanned aerial vehicles', are aircrafts that can be remote-controlled by a human operator or can be purely automated. Many drones come equipped with sophisticated imaging technology that allow for surveillance of terrain, people, homes, and small objects with great detail. Testimony in the Senate Judiciary Committee indicated that some local law enforcement agencies have begun to explore the use of drones for investigative and law enforcement work.

"As surveillance technology becomes more and more sophisticated, it's important to modernize our laws to guarantee privacy and due process for Oregonians," said Senator Floyd Prozanski (D-Eugene), chair of the Senate Judiciary Committee. "Left unchecked, drones could present a huge challenge to our civil liberties. That's why we're enacting a clear set of rules for law enforcement agencies that use drones."

House Bill 2710A limits public entities' usage of drones by prohibiting law enforcement agencies from using a drone to acquire information on a suspect without a warrant. Additionally, the bill preempts local government regulation of drones, forbids weaponized drones, and beginning in 2016 requires public bodies to register drones with the Oregon Department of Aviation.

"Drone technology shouldn't enable law enforcement with a tool to circumvent the warrant process. That's why we need this drone legislation to provide citizens with modern safeguards for due process and privacy rights," said Senator Chip Shields (D-Portland), a sponsor of the bill. "As drones become more ubiquitous in the future, we will need to ensure that our legal protections keep pace with the use of this technology."

The bill also criminalizes intentional interference with drone operation and provides protections against violations of property rights by establishing a framework for trespassing.

House Bill 2710A will now return to the Oregon House of Representatives for a concurrence motion.

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