



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

Synopsis of Senate Committee Amendments

(This synopsis does not address amendments that may have been adopted on the, Senate Floor.)

H.B. 77 of the 135th General Assembly

Senate Transportation

Margaret E. Marcy, Attorney

Use of an unmanned aerial vehicle

- Modifies the outdated mens rea associated with operating an unmanned aerial vehicle (UAV).
- Specifically, prohibits a person from operating a UAV in a manner that:
 - Knowingly endangers any person or property (as opposed to in a careless or reckless manner); or
 - Purposely disregards the rights or safety of others (as opposed to with willful or wanton disregard).
- Removes a state-imposed, additional 1st degree misdemeanor penalty for operating a UAV in violation of federal laws (thus, only the federal penalties would apply).
- Makes *reckless* violations of operating a UAV in a manner that interferes with emergency personnel on duty a 4th degree misdemeanor.
- Makes *knowing* violations of operating a UAV in a manner that interferes with emergency personnel on duty a 1st degree misdemeanor for a first offense and a 5th degree felony for subsequent offenses.
- Modifies the bill's prohibition against a person using a UAV over or near a critical facility with the purpose to further a criminal offense parallel to the prohibition in current law pertaining to trespass on a critical infrastructure facility (R.C. 2911.211) by doing the following:
 - Narrowing the criminal offense to one in which the elements of the offense involve causing physical harm to another person or causing another person to believe that the offender will cause physical harm to that person;
 - Specifying that offense is a 1st degree misdemeanor for first offense and 5th degree felony for subsequent offenses; and

- Creating a separate offense to prohibit operating a UAV to photograph, record, or loiter over or near a critical facility with purpose to destroy or tamper with the facility and specifying that the separate offense is a 3rd degree felony.

Abandoned and derelict aircraft

- Authorizes a person to recoup unpaid storage costs from the owner of an aircraft by perfecting a lien on the aircraft.
- Establishes specific notification procedures that apply before the director of a public-use airport may perfect a lien on an abandoned aircraft for storage costs and for labor on or furnishing materials for the abandoned aircraft.
- Establishes a process to dispose of a derelict aircraft located on a public-use airport's property through either public auction or through an aircraft salvage or scrap metal dealer.
- Specifies that the owner of a derelict aircraft remains liable for any remaining costs, fees, and charges if the price of the aircraft does not cover the amount owed to the airport.
- Establishes a procedure for any excess proceeds from the disposal of a derelict aircraft to be distributed to other lienholders, the owner of the aircraft, or the Unclaimed Funds Trust Fund, as circumstances warrant.