

FIRST REGULAR SESSION

HOUSE BILL NO. 1101

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE VAN SCHOIACK.

2513H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 577, RSMo, by adding thereto one new section relating to the offense of unlawful use of unmanned aircraft over a crime scene, critical incident, law enforcement tactical operation, or hazardous material site, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 577, RSMo, is amended by adding thereto one new section, to be known as section 577.802, to read as follows:

577.802. 1. A person commits the offense of unlawful use of unmanned aircraft over a crime scene, critical incident, law enforcement tactical operation, or hazardous material site if he or she purposely:

(1) Operates an unmanned aircraft within a vertical distance of four hundred feet or a horizontal distance of five hundred feet of a crime scene, critical incident, law enforcement tactical operation, or hazardous material site; or

(2) Allows an unmanned aircraft to make contact with a crime scene, critical incident, law enforcement tactical operation, or hazardous material site, including any person or object at the crime scene, critical incident, or law enforcement tactical operation or on the hazardous material site.

2. As used in this section, the following terms mean:

(1) "Critical incident", any natural or man-made event, civil disturbance, or any other occurrence of unusual or severe nature that threatens to cause or causes the loss of life or injury to a person or severe damage to property;

(2) "Hazardous material site", the location in which a substance that is capable of posing an unreasonable risk to health, safety, and property is stored.

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **3. The provisions of this section shall not prohibit the operation of an unmanned**
18 **aircraft by:**

19 **(1) A person who has written consent to operate the unmanned aircraft over a**
20 **crime scene, critical incident, law enforcement tactical operation, or hazardous material**
21 **site;**

22 **(2) An employee of a law enforcement agency, fire department, or emergency**
23 **medical service in the exercise of official duties;**

24 **(3) A government official or employee in the exercise of official duties;**

25 **(4) A public utility or a rural electric cooperative if:**

26 **(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or**
27 **maintaining utility transmission or distribution lines or other utility equipment or**
28 **infrastructure;**

29 **(b) The utility notifies all necessary individuals before flying the unmanned**
30 **aircraft, except during an emergency; and**

31 **(c) The person operating the unmanned aircraft does not physically enter the**
32 **prohibited space without an escort provided by an individual with authority over the**
33 **crime scene, critical incident, law enforcement tactical operation, or hazardous material**
34 **site;**

35 **(5) An employee of a railroad in the exercise of official duties on any land owned**
36 **or operated by a railroad corporation regulated by the Federal Railroad**
37 **Administration; or**

38 **(6) A person operating an unmanned aircraft under and in compliance with any**
39 **waiver issued by the Federal Aviation Authority under 14 C.F.R. Section 107.200.**

40 **4. The offense of unlawful use of unmanned aircraft over a crime scene, critical**
41 **incident, law enforcement tactical operation, or hazardous material site shall be a class**
42 **A misdemeanor.**

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