

As Introduced

**131st General Assembly
Regular Session
2015-2016**

H. B. No. 218

Representative Barnes

A BILL

To enact sections 4561.50 and 4561.51 of the 1
Revised Code to regulate the operation of drones 2
near airports and to impose certain record- 3
keeping requirements on retail sellers of 4
drones. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4561.50 and 4561.51 of the 6
Revised Code be enacted to read as follows: 7

Sec. 4561.50. (A) As used in this section and section 8
4561.51 of the Revised Code, "drone" means any aircraft to which 9
all of the following apply: 10

(1) The aircraft does not carry a human operator; 11

(2) The aircraft uses aerodynamic forces to provide 12
vehicle lift; 13

(3) The aircraft can fly autonomously or be piloted 14
remotely. 15

(B) No person shall operate a drone at an altitude above 16
four hundred feet at any of the following locations: 17

(1) Within five miles from an airport that has an operational control tower; 18
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(2) Within three miles from an airport that has a published instrument flight procedure, but not an operational tower; 20
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(3) Within two miles from an airport that has neither a published instrument flight procedure nor an operational tower; 23
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(4) Within two miles from a heliport that has a published instrument flight procedure. 25
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(C) Whoever violates division (B) of this section is guilty of illegal drone operation and shall be punished as follows: 27
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(1) Except as otherwise provided in divisions (C) (2) and (3) of this section, illegal drone operation is a felony of the first degree and the court may impose upon the offender a definite prison term as specified in division (A) (1) of section 2929.14 of the Revised Code and shall impose upon the offender a fine of not less than ten thousand dollars. 30
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(2) If the trier of fact finds that the offender, while committing the offense of illegal drone operation, caused the pilot of a manned aircraft to take evasive action to avoid a midair collision with the drone the offender was operating, illegal drone operation is a felony of the first degree and the court shall impose upon the offender a definite prison term of three, four, five, or six years and shall impose upon the offender a fine of not less than ten thousand dollars but not more than twenty thousand dollars. 36
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(3) If the trier of fact finds that the drone the offender was operating while committing the offense of illegal drone 45
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operation was involved in a midair collision with a manned 47
aircraft, illegal drone operation is a felony of the first 48
degree and the court shall impose upon the offender a definite 49
prison term of seven, eight, nine, ten, or eleven years and 50
shall impose upon the offender a fine of not less than ten 51
thousand dollars but not more than twenty thousand dollars. 52

Sec. 4561.51. (A) Every retail seller of drones shall 53
record, in a manner prescribed by the director of public safety, 54
the name and address of every person who purchases a drone from 55
the seller. The seller shall include with the drone written 56
information that summarizes the laws of this state governing the 57
operation of drones and the penalties that may or are required 58
to be imposed on persons who violate those laws. The seller 59
shall retain the record described in this division for a period 60
of three years from the date of the sale. 61

(B) The director of public safety shall adopt rules in 62
accordance with Chapter 119. of the Revised Code that establish 63
both of the following: 64

(1) The manner in which retail sellers of drones record 65
the names and addresses of purchasers of drones; 66

(2) The form and contents of the written information 67
required under division (A) of this section. 68

(C) No retail seller of drones shall violate division (A) 69
of this section. 70

(D) Whoever violates division (C) of this section is 71
guilty of a misdemeanor of the first degree. 72