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Representative Willis

Cosponsors: Representatives Seitz, Brennan, Holmes, Young, T., Miller, A., Callender, Claggett, Click, Dell'Aquila, Demetriou, Dobos, Gross, Hoops, Jarrells, John, Lampton, Liston, Lorenz, Mathews, McClain, Miller, J., Oelslager, Patton, Peterson, Plummer, Ray, Robb Blasdel, Russo, Somani, Stein, Thomas, C.

Senators Roegner, Brenner

A BILL

To amend sections 1311.71, 1311.72, 1311.73, 1
1311.75, 1311.76, 1311.77, 4561.01, and 4561.15 2
and to enact sections 1311.721, 4561.26, 3
4561.27, 4561.50, 4561.51, 4561.52, and 4561.53 4
of the Revised Code to establish requirements 5
and prohibitions governing the operation of 6
unmanned aerial vehicles in Ohio and to 7
establish a process by which an abandoned or 8
derelict aircraft may be sold. 9

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

Section 1. That sections 1311.71, 1311.72, 1311.73, 10
1311.75, 1311.76, 1311.77, 4561.01, and 4561.15 be amended and 11
sections 1311.721, 4561.26, 4561.27, 4561.50, 4561.51, 4561.52, 12
and 4561.53 of the Revised Code be enacted to read as follows: 13

Sec. 1311.71. As used in sections 1311.71 to 1311.80 of 14
the Revised Code: 15

(A) "Aircraft" has the same meaning as in section 4561.01 of the Revised Code and includes any part or equipment of the aircraft. "Aircraft" includes an abandoned aircraft, unless otherwise specified.

(B) "Abandoned aircraft" means an aircraft to which both of the following apply:

(1) It is located on the premises of a public-use airport.

(2) The owner or operator has not paid any tie-down, hangar, rent, or storage costs for use of the premises for at least ninety consecutive days.

(C) "Director" means the director or other chief executive officer of a public-use airport. "Director" includes the director's or chief's designee.

(D) "Labor" means to repair, service, ~~store,~~ or maintain an aircraft.

~~(C)~~ (E) "Materials" means all products and substances, including gasoline, oil, lubricants, accessories, parts, and equipment, that are furnished for an aircraft.

(F) "Public-use airport" has the same meaning as in section 4563.30 of the Revised Code.

(G) "Stores" means to keep an aircraft on real property owned by a person that is not the owner of the aircraft. "Stores" includes any necessary transportation of the aircraft to an appropriate location for its storage.

Sec. 1311.72. (A) Except as provided in division (B) of this section, any person who performs labor upon, stores, or furnishes materials for an aircraft has a lien upon the aircraft to secure payment for the labor, storage, and materials. Except

as provided in division (B) of this section, any person who owns 44
or operates an airport or repair shop and whose employee 45
performs labor upon, stores, or furnishes materials for an 46
aircraft has a lien upon the aircraft to secure payment for the 47
labor, storage, and materials. 48

(B) ~~No~~ Unless the aircraft is an abandoned aircraft, no 49
person shall have a lien pursuant to division (A) of this 50
section if the person has possession of the aircraft or if the 51
cost of the storage, the labor performed, or the materials 52
furnished for the aircraft is greater than or equal to one 53
thousand dollars and the owner of the aircraft has not requested 54
or consented to the performance of the storage, labor, or 55
furnishing of the materials. 56

(C) A lien that arises under this section is valid against 57
any person except a purchaser or encumbrancer who in good faith, 58
without notice, and for value acquired rights prior to the 59
recording of an affidavit for lien pursuant to section 1311.73 60
of the Revised Code. 61

Sec. 1311.721. (A) Before perfecting a lien that arises 62
under section 1311.72 of the Revised Code for an abandoned 63
aircraft, the director of a public-use airport shall search the 64
appropriate records of the airport and contact both of the 65
following entities to determine the name and address of the last 66
registered owner: 67

(1) The federal aviation administration's aircraft 68
registration branch; 69

(2) The office of aviation. 70

(B) (1) Within twenty business days after receipt of the 71
information obtained under division (A) of this section, the 72

director shall send notice to the owner of the abandoned 73
aircraft that was identified in accordance with division (A) of 74
this section that includes all of the following information: 75

(a) A description of the abandoned aircraft that includes 76
its federal aviation administration n-number, manufacturer name, 77
model designation, and serial number; 78

(b) The location of the abandoned aircraft on the airport 79
premises; 80

(c) The amount of any fees and charges for the use of the 81
airport by the abandoned aircraft that have accrued; 82

(d) That the airport may seek to perfect a lien in 83
accordance with section 1311.73 of the Revised Code if, within 84
thirty calendar days after the date of receipt of such notice or 85
notification that delivery was not possible, the owner does not 86
remove the abandoned aircraft from the airport and pay all 87
accrued fees and charges. 88

(2) The notice described in division (B) (1) of this 89
section may be sent by any of the following methods: 90

(a) Certified or express mail with return receipt 91
requested; 92

(b) Certified mail with electronic tracking; 93

(c) A commercial carrier service utilizing any form of 94
delivery requiring a signed receipt; 95

(d) Personal service. 96

(C) The director may proceed in accordance with section 97
1311.73 of the Revised Code if the owner of the abandoned 98
aircraft does not pay the accrued fees and charges in full and 99

does not remove the abandoned aircraft within thirty days of the 100
acknowledged receipt, or notification that the delivery was not 101
possible, of a notice sent in accordance with division (B) of 102
this section. 103

(D) Failure of the owner to receive a notice of removal 104
does not invalidate a lien perfected under section 1311.73 of 105
the Revised Code if the director complies with division (B) of 106
this section. 107

Sec. 1311.73. ~~(A)~~(A) (1) To perfect a lien that arises 108
under section 1311.72 of the Revised Code, the person claiming 109
the lien shall make and file for record with the United States 110
federal aviation administration an affidavit verified under oath 111
that includes all of the following information: 112

(a) The amount owed to the lien claimant for the labor, 113
storage, or materials,~~a;~~ 114

(b) A description of the aircraft that reasonably 115
identifies it including the manufacturer, model, serial number, 116
and registration number of the aircraft,~~the;~~ 117

(c) The name of the person for whom the labor was 118
performed, the storage was provided, or the materials were 119
furnished, ~~the if applicable;~~ 120

(d) The name of the owner of the aircraft, if known,~~the;~~ 121

(e) The name and address of the lien claimant,~~the;~~ 122

(f) The date that the lien claimant or ~~his~~the lien 123
claimant's employee last performed any labor upon, stored, or 124
furnished any materials for the aircraft, ~~the~~or if the storage 125
is ongoing; 126

(g) The date that the lien claimant surrendered possession 127

of the aircraft, if ~~he~~ the lien claimant surrendered it, ~~and the;~~ 128

(h) The name and address of the person who prepared the 129
affidavit. 130

(2) The omission or inaccuracy of any address in the 131
affidavit does not invalidate the affidavit. The lien claimant 132
may verify the affidavit before any person authorized to 133
administer oaths, including an agent for the owner, the lien 134
claimant, or any other interested party. An agent of the lien 135
claimant may sign the affidavit for the lien claimant, provided 136
that the agent states ~~his~~ the agent's capacity with respect to 137
the lien claimant. A lien claimant is considered to have filed 138
for record with the United States federal aviation 139
administration an affidavit upon receipt of the affidavit by the 140
United States federal aviation administration as evidenced by a 141
certified mail return receipt. 142

(B) The affidavit may be in the following form: 143

"Affidavit for ~~Artisan's~~ Lien on Aircraft 144

State of Ohio, 145

County of _____, ss: _____, 146

_____ of _____ 147

whose address is _____, 148

being first duly sworn, says that ~~he~~ such lien claimant or 149
~~his~~ such lien claimant's employee performed labor, repairs, 150
services, or maintenance upon, provided storage, or furnished 151
~~storage,~~ materials, products, substances, accessories, parts, or 152
equipment for a certain aircraft or part or equipment of a 153
certain aircraft at the request of _____, whose 154
address is _____, and of which 155
_____ is the titled owner. 156

The owner's address is _____ 157

The aircraft upon which labor, repairs, services, or 158
maintenance were performed, or storage was provided, or 159
materials, products, substances, accessories, parts, or 160
equipment were furnished is identified as follows: 161

Manufacturer: _____ 162

Model: _____ 163

Serial number _____ 164

Registration number _____ 165

The last date that labor, repairs, services, or 166
maintenance were performed upon, or storage was provided, or 167
materials, products, substances, accessories, parts, or 168
equipment were furnished for the aircraft herein identified, 169
including any part or equipment of that aircraft, was 170

_____, _____, or alternatively, 171

storage is still ongoing as of the following date: 172

_____, _____ 173

The lien claimant states there is justly and truly due, 174
over and above all legal setoffs, the sum of _____ dollars, 175
for which the lien claimant claims a lien on the aircraft 176
identified herein. 177

The lien claimant states that ~~he~~ the lien claimant is (is 178
not) currently in possession of the aircraft. (The lien claimant 179
states that ~~he~~ the lien claimant surrendered possession of the 180
aircraft on the _____ day of _____, _____) 181

_____ 182

Lien claimant 183

_____	184
Capacity with respect to lien	185
claimant	186
Sworn to before me and subscribed in my presence this	187
_____ day of _____, _____	188
_____	189
Notary public	190
This instrument was prepared by _____	191
whose address is _____"	192
(C) A lien claimant shall file the affidavit within one of	193
the following periods:	194
(1) Ninety days after the date on which he <u>the lien</u>	195
<u>claimant</u> or his <u>the lien claimant's</u> employee last performed labor	196
upon or furnished materials for the aircraft that is subject to	197
the lien, if he <u>the lien claimant</u> or his <u>the lien claimant's</u>	198
employee is in possession of the aircraft at the time of filing;	199
(2) Ninety days after the date on which he <u>the lien</u>	200
<u>claimant</u> or his <u>the lien claimant's</u> employee surrendered	201
possession of the aircraft that is subject to the lien;	202
<u>(3) Ninety days after the date by which the owner of an</u>	203
<u>abandoned aircraft that is subject to the lien was required to</u>	204
<u>remove the aircraft from the lien claimant's property in</u>	205
<u>accordance with section 1311.721 of the Revised Code.</u>	206
(D) Any lien claimant who files an affidavit may file a	207
copy of the affidavit in the office of the county recorder in	208
the county in which the labor was performed upon or the	209
materials were furnished for the aircraft <u>or where the aircraft</u>	210

was stored. The lien claimant shall pay to the county recorder 211
the fee for recording an affidavit as determined under section 212
317.32 of the Revised Code. 213

Sec. 1311.75. (A) A lien claimant who perfects a lien in 214
accordance with section 1311.73 of the Revised Code has priority 215
over all other liens, claims, or encumbrances, except wage and 216
salary claims of workers who have no ownership interests in the 217
business of the lien claimant and amounts that are owed by the 218
lien claimant to the aircraft owner and that are subject to 219
setoff against the amounts due for the labor, storage, and 220
materials that are the basis for the lien. 221

(B) If more than one lien is perfected by more than one 222
lien claimant in accordance with section 1311.73 of the Revised 223
Code on the same aircraft, liens shall be ranked in priority in 224
the order of earliest filing with the United States federal 225
aviation administration, except as provided in division (A) of 226
this section. 227

Sec. 1311.76. (A) A lien claimant may enforce a lien that 228
arises under section 1311.72 of the Revised Code by bringing an 229
action to recover the monetary amount secured by the lien in a 230
court having jurisdiction in the county in which either of the 231
following occurred: 232

(1) The storage took place, the labor that is the basis of 233
the lien was performed, or the materials that are the basis of 234
the lien were furnished ~~or in the;~~ 235

(2) The county in which the lien claimant's primary place 236
of business is located, if it is located within this state. 237

(B) If a lien claimant obtains a judgment or order of a 238
court having jurisdiction enforcing a lien that arises under 239

section 1311.72 of the Revised Code, the lien claimant shall 240
send a certified copy of the judgment or order to the United 241
States federal aviation administration. 242

(C) A lien that arises under section 1311.72 of the 243
Revised Code remains in effect for six years after the date an 244
affidavit is filed pursuant to section 1311.73 of the Revised 245
Code, or until one of the following occurs within that six-year 246
period: 247

(1) The lien claimant receives full payment of the amount 248
due ~~him~~the lien claimant as stated in the affidavit filed 249
pursuant to section 1311.73 of the Revised Code or in the 250
judgment or order granted pursuant to this section by a court 251
having jurisdiction; 252

(2) The lien claimant accepts less than the full amount 253
secured by the lien pursuant to a written agreement with the 254
owner of the aircraft that is subject to the lien; 255

(3) The owner files a bond in accordance with section 256
1311.77 of the Revised Code; 257

(4) A final judgment is entered by a court having 258
jurisdiction in an action releasing the lien against the 259
aircraft. 260

(D) Within thirty days after a lien has been satisfied or 261
released in accordance with division (C) of this section, the 262
lien claimant shall cause the lien to be released by notifying 263
the United States federal aviation administration, and by 264
notifying the county recorder in whose office the copy of the 265
affidavit or court judgment or order was filed, if the lien 266
claimant filed any of those documents with the county recorder. 267

Sec. 1311.77. The owner of an aircraft that is subject to 268

a lien that is perfected pursuant to section 1311.73 of the Revised Code may release ~~his~~the owner's aircraft from the lien by filing with a court having jurisdiction in the county in which the labor that is the basis of the lien was performed, in which the aircraft was stored, or in which the materials that are the basis of the lien were furnished, a bond, payable to the lien claimant, for the full amount owed to the lien claimant as stated in an affidavit filed pursuant to section 1311.73 of the Revised Code for the labor or materials, and conditioned for the payment of any judgment that may be recovered on the lien, with costs.

All bonds filed pursuant to this section shall be executed by a corporate surety licensed by the state and authorized to execute surety bonds in this state pursuant to Chapter 3929. of the Revised Code.

Sec. 4561.01. As used in sections 4561.01 to ~~4561.25~~4561.27 of the Revised Code:

(A) "Aviation" means transportation by aircraft; operation of aircraft; the establishment, operation, maintenance, repair, and improvement of airports, landing fields, and other air navigation facilities; and all other activities connected therewith or incidental thereto.

(B) "Aircraft" means any ~~contrivance~~manned device used or ~~designed~~intended for navigation or flight in the air, ~~excepting a parachute or other contrivance for such navigation used primarily as safety equipment.~~ "Aircraft" does not include an ultralight vehicle as defined by 14 C.F.R. part 103.

(C) "Airport" means any location either on land or water which is used for the landing and taking off of aircraft.

(D) "Landing field" means any location either on land or 298
water of such size and nature as to permit the landing or taking 299
off of aircraft with safety, and used for that purpose but not 300
equipped to provide for the shelter, supply, or care of 301
aircraft. 302

(E) "Air navigation facility" means any facility used, 303
available for use, or designed for use in aid of navigation of 304
aircraft, including airports, landing fields, facilities for the 305
servicing of aircraft or for the comfort and accommodation of 306
air travelers, and any structures, mechanisms, lights, beacons, 307
marks, communicating systems, or other instrumentalities or 308
devices used or useful as an aid to the safe taking off, 309
navigation, and landing of aircraft, or to the safe and 310
efficient operation or maintenance of an airport or landing 311
field, and any combination of such facilities. 312

(F) "Air navigation hazard" means any structure, object of 313
natural growth, or use of land, that obstructs the air space 314
required for the flight of aircraft in landing or taking off at 315
any airport or landing field, or that otherwise is hazardous to 316
such landing or taking off. 317

(G) "Air navigation," "navigation of aircraft," or 318
"navigate aircraft" means the operation of aircraft in the air 319
space over this state. 320

(H) "Airperson" means any individual who, as the person in 321
command, or as pilot, mechanic, or member of the crew, engages 322
in the navigation of aircraft. 323

(I) "Airway" means a route in the air space over and above 324
the lands or waters of this state, designated by the Ohio 325
aviation board as a route suitable for the navigation of 326

aircraft. 327

(J) "Person" means any individual, firm, partnership, 328
corporation, company, association, joint stock association, or 329
body politic, and includes any trustee, receiver, assignee, or 330
other similar representative thereof. 331

(K) "Government agency" means a state agency, state 332
institution of higher education, regional port authority, or any 333
other political subdivision of the state, or the federal 334
government or other states. 335

Sec. 4561.15. (A) No person shall commit any of the 336
following acts: 337

(1) Carry passengers in an aircraft unless the person 338
piloting the aircraft is a holder of a valid airperson's 339
certificate of competency issued by the United States that 340
authorizes the holder to carry passengers and the person is 341
carrying any passenger in accordance with the applicable 342
certificate requirements; this division of this section is 343
inapplicable to the operation of military aircraft of the United 344
States, aircraft of a state, territory, or possession of the 345
United States, or aircraft licensed by a foreign country with 346
which the United States has a reciprocal agreement covering the 347
operation of such aircraft; 348

(2) Operate an aircraft on the land or water or in the air 349
space over this state in a careless or reckless manner that 350
endangers any person or property, or with willful or wanton 351
disregard for the rights or safety of others; 352

(3) Operate an aircraft on the land or water or in the air 353
space over this state while under the influence of intoxicating 354
liquor, controlled substances, or other habit-forming drugs; 355

(4) Tamper with, alter, destroy, remove, carry away, or 356
cause to be carried away any object used for the marking of 357
airports, landing fields, or other aeronautical facilities in 358
this state, or in any way change the position or location of 359
such markings, except by the direction of the proper authorities 360
charged with the maintenance and operation of such facilities, 361
or illegally possess any object used for such markings; 362

(5) Operate an unmanned aerial vehicle, as defined in 363
section 4561.50 of the Revised Code, on the land or water or in 364
the air space over this state in a manner that knowingly 365
endangers any person or property or purposely disregards the 366
rights or safety of others. 367

(B) Jurisdiction over any proceedings charging a violation 368
of this section is limited to courts of record. 369

(C) Whoever violates this section shall be fined not more 370
than five hundred dollars, imprisoned not more than six months, 371
or both. 372

Sec. 4561.26. (A) As used in sections 4561.26 and 4561.27 373
of the Revised Code: 374

(1) "Derelict aircraft" means an aircraft that meets all 375
of the following conditions: 376

(a) It is located on the premises of a public-use airport. 377

(b) It is not in a flyable condition. 378

(c) It does not comply with the United States federal 379
aviation administration regulations that would allow it to be 380
operated or flown. 381

(d) It does not have a written repair plan approved and 382
signed by either a federal aviation administration certified 383

airframe and power plant mechanic or a person otherwise 384
authorized to perform maintenance on the aircraft in accordance 385
with the federal aviation administration regulations. 386

(e) The owner or operator of the aircraft has not paid any 387
tie-down, hangar, rent, or storage costs for use of the premises 388
for at least ninety consecutive days. 389

(2) "Director" means the director or other chief executive 390
officer of a public-use airport. "Director" includes the 391
director's or chief's designee. 392

(3) "Public-use airport" has the same meaning as in 393
section 4563.30 of the Revised Code. 394

(B) The director of a public-use airport may dispose of 395
any derelict aircraft located on the premises of that airport in 396
accordance with the procedures established in this section and 397
in section 4561.27 of the Revised Code. 398

(C) Before disposing of a derelict aircraft, the director 399
shall search the appropriate records of the airport and contact 400
both of the following entities to determine the name and address 401
of the last registered owner and any person having a legal or 402
equitable interest in the derelict aircraft: 403

(1) The federal aviation administration's aircraft 404
registration branch; 405

(2) The office of aviation. 406

(D) (1) Within twenty business days after receipt of the 407
information obtained under division (C) of this section, the 408
director shall send notice to the owner and any person having a 409
legal or equitable interest in the derelict aircraft that was 410
identified in accordance with division (C) of this section, that 411

includes all of the following information: 412

(a) A description of the derelict aircraft that includes 413
its federal aviation administration n-number, manufacturer name, 414
model designation, and serial number; 415

(b) The location of the derelict aircraft on the airport 416
premises; 417

(c) The amount of any fees and charges for the use of the 418
airport by the derelict aircraft that have accrued; 419

(d) That the airport may remove, sell, scrap, or otherwise 420
dispose of the derelict aircraft in accordance with section 421
4561.27 of the Revised Code if, within thirty calendar days 422
after the date of receipt of such notice or notification that 423
delivery was not possible, the owner does not remove the 424
derelict aircraft from the airport and pay all accrued fees and 425
charges. 426

(2) The notice described in division (D)(1) of this 427
section may be sent by any of the following methods: 428

(a) Certified or express mail with return receipt 429
requested; 430

(b) Certified mail with electronic tracking; 431

(c) A commercial carrier service utilizing any form of 432
delivery requiring a signed receipt; 433

(d) Personal service. 434

(3) In addition to the notice sent to the owner and any 435
person having a legal or equitable interest in the derelict 436
aircraft, the director shall do both of the following: 437

(a) File a copy of the notice with the federal aviation 438

<u>administration's aircraft registration branch;</u>	439
<u>(b) Post a copy of the notice on the public-use airport's web site.</u>	440 441
<u>(E) The director may proceed in accordance with section 4561.27 of the Revised Code if the owner or any other person identified under division (C) of this section as having a legal or equitable interest in the derelict aircraft does not pay the accrued fees and charges in full and remove the derelict aircraft within thirty days of the acknowledged receipt of or notification that the delivery was not possible of a notice sent in accordance with division (D) of this section.</u>	442 443 444 445 446 447 448 449
<u>Sec. 4561.27. (A) If a derelict aircraft remains on the property of the public-use airport longer than the thirty-day period specified in division (E) of section 4561.26 of the Revised Code, the director may do one of the following:</u>	450 451 452 453
<u>(1) Sell the derelict aircraft at public auction;</u>	454
<u>(2) Dispose of the derelict aircraft through an aircraft salvage or scrap metal dealer.</u>	455 456
<u>(B) (1) If the director elects to sell the derelict aircraft at public auction, the director shall give notice of the date, time, and place of the sale not less than ten calendar days prior to the date of the sale in a written publication of general circulation in the county where the airport is located. The director may provide written notice of the intended sale to any person known to have an interest in purchasing the derelict aircraft.</u>	457 458 459 460 461 462 463 464
<u>(2) If the director elects to dispose of the derelict aircraft through an aircraft salvage or scrap metal dealer, the director may negotiate with the dealer for the price to be</u>	465 466 467

received or paid by the director, as the circumstances warrant. 468
All information pertaining to the establishment of the price and 469
justification for the price shall be prepared and maintained by 470
the director, and the negotiated price shall be considered a 471
commercially reasonable price. 472

(C) (1) If the sale price or the negotiated price under 473
division (B) (1) or (2) of this section is less than the accrued 474
fees and charges against the derelict aircraft or the director 475
is required to pay the aircraft salvage or scrap metal dealer 476
for its services, the prior owner of the derelict aircraft is 477
liable to the airport for both of the following: 478

(a) Any remaining fees and charges; 479

(b) Any costs paid to an aircraft salvage or scrap metal 480
dealer. 481

All fees, charges, and costs are recoverable against the 482
prior owner of the derelict aircraft by any remedies otherwise 483
provided by law. 484

(2) If the sale price or the negotiated price under 485
division (B) (1) or (2) of this section is more than the accrued 486
fees and charges against the aircraft, the director shall pay 487
the excess proceeds to the following individuals, as applicable: 488

(a) Any other known lienholders, according to the priority 489
of the liens; 490

(b) The owner of the aircraft, if the owner can be 491
determined and located; 492

(c) The director of commerce, to be deposited as unclaimed 493
funds into the unclaimed funds trust fund created under section 494
169.05 of the Revised Code, if the owner cannot be determined or 495

located. 496

(D) A purchaser or recipient in good faith of a derelict aircraft sold or obtained under this section takes the derelict aircraft free and clear of the rights or liens of any other person holding any legal or equitable interest to the derelict aircraft, regardless of whether that interest is recorded. The purchaser or recipient shall notify the appropriate federal aviation administration office and the office of aviation of the change in the registered owner of the derelict aircraft. 497
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Sec. 4561.50. As used in sections 4561.50 to 4561.53 of the Revised Code: 505
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(A) "Critical facility" means any of the following: 507

(1) A critical infrastructure facility as defined in section 2911.21 of the Revised Code; 508
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(2) A commercial distribution center; 510

(3) A federal, state, county, or municipal court; 511

(4) A police station, sheriff's office, state highway patrol station, or premises controlled by the bureau of criminal identification and investigation; 512
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(5) A federal, state, county, or municipal jail or prison or any other facility in which persons are incarcerated; 515
516

(6) A federal or state military installation or facility; 517

(7) A hospital that receives air ambulance services. 518

(B) "Unmanned aerial vehicle" means a powered, aerial vehicle to which all of the following apply: 519
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(1) The vehicle does not carry a human operator and is operated without the possibility of direct human intervention 521
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<u>from within or on the vehicle;</u>	523
<u>(2) The vehicle uses aerodynamic forces to provide lift;</u>	524
<u>(3) The vehicle can fly autonomously or be piloted</u> <u>remotely;</u>	525 526
<u>(4) The vehicle is either expendable or recoverable.</u>	527
<u>"Unmanned aerial vehicle" is commonly referred to as a</u> <u>drone and does not include a satellite.</u>	528 529
<u>(C) "Unmanned aerial vehicle system" means an unmanned</u> <u>aerial vehicle and associated elements, including communication</u> <u>links and components that control the unmanned aerial vehicle</u> <u>and that are required for the remote pilot in command to operate</u> <u>the vehicle in the air space over this state.</u>	530 531 532 533 534
<u>(D) "Park district" means a park district created in</u> <u>accordance with Chapter 1545. of the Revised Code.</u>	535 536
<u>Sec. 4561.51. (A) (1) Except as provided in division (A) (2)</u> <u>of this section, no person shall operate an unmanned aerial</u> <u>vehicle in the air space over this state if the operation is</u> <u>prohibited by either federal law or federal regulations,</u> <u>including any federal aviation administration regulations.</u>	537 538 539 540 541
<u>(2) Division (A) (1) of this section does not apply to a</u> <u>person authorized by the federal aviation administration to</u> <u>operate an unmanned aerial vehicle in a manner that otherwise</u> <u>violates the federal law or regulations, provided that person's</u> <u>operation of the unmanned aerial vehicle complies with the terms</u> <u>of the administration's authorization.</u>	542 543 544 545 546 547
<u>(B) No person shall operate an unmanned aerial vehicle in</u> <u>a manner that disrupts, interrupts, or impairs the operations or</u> <u>activities conducted by law enforcement personnel, fire</u>	548 549 550

department personnel, or emergency medical services personnel 551
while such personnel is on duty. 552

(C) (1) No person shall operate an unmanned aerial vehicle 553
or an unmanned aerial vehicle system to photograph, record, or 554
loiter over or near a critical facility with purpose to further 555
another criminal offense, the elements of which involve causing 556
physical harm to another person or causing another person to 557
believe that the offender will cause physical harm to that 558
person. 559

(2) No person shall operate an unmanned aerial vehicle or 560
an unmanned aerial vehicle system to photograph, record, or 561
loiter over or near a critical facility with purpose to destroy 562
or tamper with the facility. 563

(D) (1) Whoever recklessly violates division (B) of this 564
section is guilty of a fourth degree misdemeanor. 565

(2) Whoever knowingly violates division (B) of this 566
section is guilty of a first degree misdemeanor on the first 567
offense and a felony of the fifth degree on subsequent offenses. 568

(3) Whoever purposely violates division (C) (1) of this 569
section is guilty of a first degree misdemeanor on the first 570
offense and a felony of the fifth degree on subsequent offenses. 571

(4) Whoever purposely violates division (C) (2) of this 572
section is guilty of a felony of the third degree. 573

Sec. 4561.52. Subject to sections 4561.50 to 4561.53 of 574
the Revised Code, a municipal corporation, township, park 575
district, or county may adopt ordinances, resolutions, or 576
regulations, as applicable, regarding both of the following: 577

(A) The use and operation of an unmanned aerial vehicle 578

owned and operated by the municipal corporation, township, park 579
district, or county; 580

(B) The use and operation of an unmanned aerial vehicle 581
that is operated exclusively for hobby or recreational purposes 582
in or above a park or on other public property owned by the 583
municipal corporation, township, park district, or county. 584

Sec. 4561.53. (A) The department of transportation's 585
office of aviation shall provide information and resources on 586
the office's web site regarding the laws, regulations, and 587
proper use of an unmanned aerial vehicle and unmanned aerial 588
vehicle system. The information shall pertain to public, 589
commercial, and recreational use of an unmanned aerial vehicle. 590

(B) The office shall provide picture examples of a 591
critical facility on the office's web site. The pictures and any 592
related information provided are designed to provide unmanned 593
aerial vehicle operators guidelines on what is considered a 594
critical facility. Any picture or written description shall not 595
identify the owner, operator, or location of the critical 596
facility. 597

Section 2. That existing sections 1311.71, 1311.72, 598
1311.73, 1311.75, 1311.76, 1311.77, 4561.01, and 4561.15 of the 599
Revised Code are hereby repealed. 600