



Representative Bernie Willis

74th House District

Sub. House Bill No.149- Sponsor Testimony

April 9, 2024

Chairman Holmes, Ranking Member Baker, and Members of the House Aviation and Aerospace Committee: thank you for the opportunity to provide testimony on S.H.B. 149. This legislation specifically will take necessary strides to establish requirements related to the use of unmanned aerial vehicles (UAV) for surveillance in Ohio.

This legislation represents a crucial step forward in ensuring the responsible and ethical use of drone technology, while also safeguarding the privacy and civil liberties of our citizens. This bill contains several key requirements designed to achieve this balance:

To begin, the legislation establishes a general prohibition on the use of flight data gathered by UAVs in criminal proceedings, unless obtained under the authority of a court-issued search warrant. This provision is essential to protect the privacy rights of individuals and ensure that any surveillance conducted is done so with proper judicial oversight. The requirement for law enforcement to retain both surveillance and flight data for a longer duration if it is relevant to an ongoing investigation, trial, or litigation. This provision underscores our commitment to accountability and transparency in law enforcement practices. Additionally, we found it pertinent that the bill mandates that law enforcement retain surveillance data and flight data for at least 270 days, ensuring that information is preserved for future reference.

Additionally, the legislation authorizes the use of UAVs to examine the scene of a vehicle accident, monitor traffic congestion, or conduct other forms of traffic law enforcement, where a warrant would not be required under current law for the peace officer. However, it specifies that if a peace officer would be required to obtain a search warrant to physically enter a house or place in person to conduct a search, the same requirement applies to the use of UAVs for such searches. This provision maintains the integrity of search and seizure procedures while acknowledging the evolving nature of law enforcement technology.

Finally, this bill affirms the principle of transparency by specifying that UAV flight mission planning and captured data are public records, subject to exemptions under the Public Records Law. I firmly believe that these provisions strike the right balance between harnessing the benefits of UAV technology and protecting the rights and freedoms of Ohioans. By establishing

clear requirements and prohibitions, we can ensure that UAVs are used responsibly and ethically in our state.

I truly appreciate your time with this. Pending any further questions, this concludes my testimony for Sub House Bill 149. Thank you for the opportunity to speak and I would be happy to take any questions.