

HOUSE BILL 620

E1

5lr1408

By: **Delegates A. Miller, Fraser-Hidalgo, Chang, Glass, Hornberger, Miele, Moon, Platt, B. Robinson, Smith, and Zucker**

Introduced and read first time: February 12, 2015

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Unmanned Aircraft Systems – Unauthorized Surveillance**

3 FOR the purpose of prohibiting, except under certain circumstances, a person from using a
4 certain unmanned aircraft system to intentionally conduct surveillance of, gather
5 evidence or collect information about, or photographically or electronically record a
6 certain individual or property; providing penalties for a violation of this Act; defining
7 a certain term; and generally relating to unmanned aircraft systems.

8 BY adding to

9 Article – Criminal Law

10 Section 3–908

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2014 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Criminal Law**

16 **3–908.**

17 **(A) (1) IN THIS SECTION, “UNMANNED AIRCRAFT SYSTEM” MEANS A**
18 **POWERED AERIAL VEHICLE THAT:**

19 **(I) DOES NOT CARRY A HUMAN OPERATOR;**

20 **(II) USES AERODYNAMIC FORCES TO PROVIDE VEHICLE LIFT;**

21 **(III) CAN FLY AUTONOMOUSLY OR BE PILOTED REMOTELY;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (IV) IS EXPENDABLE OR RECOVERABLE; AND

2 (V) CARRIES EQUIPMENT THAT CAN BE USED FOR
3 SURVEILLANCE PURPOSES.

4 (2) "UNMANNED AIRCRAFT SYSTEM" DOES NOT INCLUDE:

5 (I) A MODEL FLYING AIRPLANE OR ROCKET, INCLUDING ONE
6 THAT IS RADIO-CONTROLLED OR OTHERWISE REMOTELY CONTROLLED AND USED
7 PURELY FOR SPORT OR RECREATIONAL PURPOSES; OR

8 (II) AN UNMANNED AIRCRAFT SYSTEM USED IN MAPPING OR
9 RESOURCE MANAGEMENT.

10 (B) A PERSON MAY NOT USE AN UNMANNED AIRCRAFT SYSTEM TO
11 INTENTIONALLY CONDUCT SURVEILLANCE OF, GATHER EVIDENCE OR COLLECT
12 INFORMATION ABOUT, OR PHOTOGRAPHICALLY OR ELECTRONICALLY RECORD
13 SPECIFICALLY TARGETED INDIVIDUALS OR PRIVATE PROPERTY.

14 (C) THIS SECTION DOES NOT PROHIBIT THE USE OF AN UNMANNED
15 AIRCRAFT SYSTEM:

16 (1) IN ACCORDANCE WITH A VALID SEARCH WARRANT;

17 (2) IN CONNECTION WITH AN EMERGENCY RESPONSE FOR SAFETY,
18 SEARCH AND RESCUE, OR CONTROLLED DANGEROUS SUBSTANCE INVESTIGATION;

19 (3) WITH THE WRITTEN CONSENT OF THE INDIVIDUAL BEING
20 OBSERVED; OR

21 (4) BY AN OWNER OF A FACILITY LOCATED ON PROPERTY OWNED BY
22 ANOTHER PERSON UNDER AN EASEMENT, PERMIT, LICENSE, OR OTHER RIGHT OF
23 OCCUPANCY USING AN UNMANNED AIRCRAFT SYSTEM TO INSPECT THE FACILITY.

24 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
25 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A
26 FINE NOT EXCEEDING \$2,500 OR BOTH.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2015.