



Montgomery County

Office of Intergovernmental Relations

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

HB 398

DATE: February 24, 2026

SPONSOR: Delegate Grammer

ASSIGNED TO: Judiciary

CONTACT PERSON: Sara Morningstar (Sara.Morningstar@montgomerycountymd.gov)

POSITION: OPPOSE (Montgomery County Department of Police)

Public Safety – Persistent Aerial Surveillance

House Bill 398 presents significant limitations on the use of aircraft by State and local governments. While the bill intends to regulate aircraft use and protect civil liberties, it poses unnecessary restrictions that could hinder law enforcement, emergency response, and public safety efforts in Maryland, and specifically in Montgomery County. The Montgomery County Department of Police (MCPD) opposes the bill.

This bill would have an unintended consequence of significantly hampering the progress of the Montgomery County Department of Police's respected Drone program. The definition of "Aircraft" as "any device used or designed for navigation of or flight in the air" would also include drones and unmanned aircraft. The restriction in the bill that prevents the use of aircraft to take video of a person would effectively be a prohibition on drone activity. Given that Montgomery County has developed a robust and effective drone program, grounded in civil liberty protection but also public safety, this bill would be a step backward, reducing efficiency and limiting law enforcement's ability to protect the community.

Montgomery County has established a well-regulated drone program that enhances law enforcement, emergency response, and public safety. The program allows law enforcement and first responders to use drones for surveillance in high-crime areas, traffic monitoring, search-and-rescue operations, and disaster response. The effectiveness of the program has been demonstrated through:

- **Improved Response Times:** Drones provide real-time aerial views of emergency situations, allowing officers and first responders to make quicker and more informed decisions. The Montgomery County Police DFR program averages an on-scene response time of less than a minute.

- **Enhanced Officer and Public Safety:** Drones reduce the need for law enforcement to engage in dangerous encounters or enter hazardous situations without prior assessment. There have been numerous examples of drones providing real time intelligence to officers in the field, where drone-provided intelligence significantly modified the officer's response to an event resulting in better public safety outcomes.
- **Resource Optimization:** Drones are cost-effective compared to traditional aviation methods, reducing the need for expensive helicopter deployments. While drones do not replace all the uses for manned aviation, they do provide a cost-effective alternative.

House Bill 398 would significantly limit the ability of MCPD to continue vital functions by imposing overly restrictive requirements on drone deployment and operation. Many of MCPD's responses have been for emergency calls for service via 911 – calls that are serious in nature but do not meet the threshold for operations articulated under House Bill 398. As a case in point, the mission predicated the first drone conviction in the State would not have been flown under the scheme proposed by House Bill 398. The Department does not utilize its drone program for proactive surveillance operations.

For these reasons, Montgomery County Department of Police would urge the Committee to adopt an unfavorable report of House Bill 398.