THE SENATE THIRTY-SECOND LEGISLATURE, 2023 STATE OF HAWAII S.B. NO. 989

JAN 2 0 2023

A BILL FOR AN ACT

RELATING TO UNMANNED AIRCRAFT SYSTEMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 The legislature finds that the proliferation of SECTION 1. 2 unmanned aircraft systems, commonly called drones, has led to 3 privacy and public safety concerns for individuals, especially 4 when the drones are flown over their property. The legislature 5 further finds that Hawai'i's laws do not adequately address these situations and that some states have enacted laws that prohibit 6 7 trespassing on private property with a drone, including Louisiana, South Dakota, Tennessee, and Virginia. 8 9 The purpose of this Act is to prohibit trespass with an 10 unmanned aircraft system, with exceptions. 11 SECTION 2. Chapter 711, Hawaii Revised Statutes, is 12 amended by adding a new section to be appropriately designated 13 and to read as follows: 14 "§711-Trespass with an unmanned aircraft system; penalty. (1) A person commits the offense of trespass with an 15 unmanned aircraft system if the person intentionally causes an 16 17 unmanned aircraft system to:



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1	<u>(a)</u>	Enter the property of another and come within fifty
2		feet of a dwelling to coerce, intimidate, or harass
3		another person or, after having been given actual
4		notice to desist, for any other reason; or
5	(b)	Take off or land in violation of current Federal
6		Aviation Administration special security instructions
7		or UAS security sensitive airspace restrictions.
8	(2)	This section shall not apply to any person who causes
9	an unmanned aircraft system to enter the property as specified	
10	in subsection (1) if consent was given to the entry by any	
11	person with legal authority to consent or by any person who is	
12	lawfully present on the property, or if the person was	
13	authorized by the federal regulations to operate an unmanned	
14	aircraft system and was operating the system in an otherwise	
15	lawful manner and consistent with federal regulations.	
16	(3)	Violation of trespass with an unmanned aircraft system
17	is a misdemeanor."	
18	SECTION 3. New statutory material is underscored.	
19	SECTION 4. This Act shall take effect upon its approval.	
20		Jal Almah
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INTRODUCED BY:



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Report Title: Drones; Unmanned Aircraft System; Trespass; Penalty

Description:

Prohibits trespass with an unmanned aircraft system, with exceptions. Establishes a penalty.

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