
A BILL FOR AN ACT

RELATING TO UNMANNED AERIAL SYSTEMS.

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

1 SECTION 1. Chapter 706, Hawaii Revised Statutes, is
2 amended by adding a new section to part III to be appropriately
3 designated and to read as follows:
4 "§706- Enhanced fines for offenses committed using an
5 unmanned aerial system. (1) A person who:
6 (a) Has been convicted of an offense under sections 586-4,
7 604-10.5, 708-813, 708-814, 708-815, 711-1106, 1106.5,
8 711-1110.9, or 711-1111; and
9 (b) Used an unmanned aerial system to commit the offense
10 under this subsection;
11 shall be sentenced, in addition to any other sentence authorized
12 by law, to pay a fine that is double the maximum amount
13 authorized by section 706-640 for the convicted offense.
14 (2) As used in this section, "unmanned aerial system"
15 means a powered aerial vehicle that:
16 (a) Does not carry a human operator;
17 (b) Uses aerodynamic forces to provide vehicle lift;



- 1 (c) Can fly autonomously or be piloted remotely;
- 2 (d) Can conduct surveillance; and
- 3 (e) Can be expendable or recoverable;
- 4 provided that the term shall not include model flying airplanes
- 5 or rockets, including those that are radio controlled or
- 6 otherwise remotely controlled and that are used purely for sport
- 7 or recreational purposes."

8 SECTION 2. Section 708-815, Hawaii Revised Statutes, is
 9 amended by amending subsection (1) to read as follows:

10 " (1) A person commits the offense of simple trespass if
 11 the person knowingly enters or remains unlawfully [~~in~~]:

- 12 (a) In or upon premises[-]; or
- 13 (b) In the airspace by means of an unmanned aerial system
- 14 directly above premises up to four hundred feet above
- 15 ground level."

16 SECTION 3. This Act does not affect rights and duties that
 17 matured, penalties that were incurred, and proceedings that were
 18 begun before its effective date.

19 SECTION 4. Statutory material to be repealed is bracketed
 20 and stricken. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Unmanned Aerial Systems; Simple Trespass; Penal Code; Fines

Description:

Increases the fine for conviction of certain offenses when an unmanned aerial system is used to commit the offense. Provides that the offense of simple trespass can be committed when a person knowingly enters or remains unlawfully in the airspace directly above premises up to 400 feet above ground level.

(HB2021 HD1)

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