

STAND. COM. REP. NO. **3684**

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 1869
H.D. 1
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1869, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO UNMANNED AIRCRAFT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the felony offenses of misuse of uncrewed aircraft in the first, second, and third degrees; and
- (2) Require uncrewed aircraft to be operated by a human operator at all times.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee received comments on this measure from Hawaiian Electric and one individual.

Your Committee finds that new technology, such as drones, may be used to conduct illegal activities including the drug trade, gang activities, smuggling contraband, and to facilitate assaults. Specifically, drones may be used to deliver contraband including



weapons in or near jails and prisons with little warning or detection. This measure will ensure that drones are not used to create an increased risk to the safety, security, and well-being of the State's residents.

Your Committee has amended this measure by:

- (1) Including the use of an uncrewed aircraft in furtherance of the commission of a felony under misuse of uncrewed aircraft in the third degree instead of misuse of uncrewed aircraft in the first degree;
- (2) Deleting language that would have prohibited a person convicted of misuse of uncrewed aircraft in the second or third degree from being eligible for a deferred acceptance of guilty plea or nolo contendere plea under chapter 853, Hawaii Revised Statutes;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1869, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1869, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* HB 1869 HDI SDI	Committee Referral: TOA, JDC	Date: 04/02/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
TOTAL	4	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes