HOUSE DOCKET, NO. 2308 FILED ON: 1/19/2017

HOUSE . . . . . No. 3496

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Finn

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to unmanned aerial vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Michael J. Finn	*6th Hampden*	*1/19/2017*

HOUSE DOCKET, NO. 2308 FILED ON: 1/19/2017

HOUSE . . . . . No. 3496

By Mr. Finn of West Springfield, a petition (accompanied by bill, House, No. 3496) of Michael J. Finn relative to penalties for unauthorized use of unmanned aerial vehicles. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to unmanned aerial vehicles.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 269 of the General Laws is hereby amended by adding the following section:-

Section 20. (a) As used in this section, the following words shall, unless context clearly requires otherwise, have the following meanings:-

"Critical infrastructure facility", if completely enclosed by a fence or other physical barrier designed to exclude intruders, or if marked with a sign conspicuously posted on the property that indicates that entry is forbidden: (i) a petroleum or alumina refinery; (ii) an electrical power generating facility, substation, switching station or electrical control center; (iii) a chemical, polymer or rubber manufacturing facility; (iv) a water intake structure, water treatment facility, wastewater treatment plant or pump station; (v) a natural gas compressor station; (vi) a liquid natural gas terminal or storage facility; (vii) a telecommunications central switching office; (viii) a port, railroad switching yard, trucking terminal or other freight transportation facility; (ix) a gas processing plant, including a plant used in the processing,

treatment or fractionation of natural gas; (x) a transmission facility used by a federally licensed radio or television station; (xi) a steelmaking facility that uses an electric arc furnace to make steel; (xii) any portion of an aboveground oil, gas or chemical pipeline; or (xiii) a correctional facility or law enforcement facility.

"Unmanned aerial vehicle", an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

(b) Whoever, without lawful authority, weaponizes an unmanned aerial vehicle or operates a weaponized unmanned aerial vehicle shall be punished by imprisonment in the state prison for not less than 3 years nor more than 20 years or imprisonment in the house of correction for not less than 6 months nor more than 2 ½ years, or by fine of not less than $1,000 nor more than $50,000, or by both such fine and imprisonment.

(c) Whoever willfully uses an unmanned aerial vehicle to photograph, videotape or electronically surveil another person when the other person in such place and circumstance would have a reasonable expectation of privacy in not being so photographed, videotaped or electronically surveilled, and without that person's knowledge and consent, shall be punished by imprisonment in the house of correction for not more than 2 ½ years or by a fine of not more than $5,000, or by both such fine and imprisonment.

(d) Whoever, without lawful authority, willfully uses an unmanned aerial vehicle to photograph, videotape or electronically surveil a critical infrastructure facility, shall be punished by imprisonment in the house of correction for not more than 2 ½ years or by a fine of not more than $5,000, or by both such fine and imprisonment.