



# Ohio Legislative Service Commission

## Bill Analysis

Jeremy R. Abrams

### H.B. 218

131st General Assembly  
(As Introduced)

Rep. Barnes

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## BILL SUMMARY

- Prohibits the operation of a drone above an altitude of 400 feet within specified distances of an airport or heliport.
- Requires a retail seller of drones to keep a record of the name and address of each person who purchases a drone from the seller for a period of three years from the date of sale.
- Requires a retail seller of drones to give the buyer of a drone written information summarizing Ohio laws governing the operation of a drone and the penalties associated with those laws.

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## CONTENT AND OPERATION

### Illegal drone operation

The bill prohibits a person from operating a drone above 400 feet at any of the following locations:

- (1) Within five miles of an airport that has an operational control tower;
- (2) Within three miles of an airport that has a published instrument flight procedure but no operational tower;
- (3) Within two miles of an airport that does not have a published instrument flight procedure or an operational tower; and

(4) Within two miles of a heliport that has a published instrument flight procedure.<sup>1</sup>

The bill defines "drone" as any aircraft that does not carry a human operator, uses aerodynamic forces to provide vehicle lift, and can fly autonomously or be piloted remotely.<sup>2</sup>

## **Penalties**

Under the bill, illegal drone operation is a first degree felony and the court may impose on the offender a definite prison term of 3, 4, 5, 6, 7, 8, 9, 10, or 11 years. The court must impose a fine of at least \$10,000.<sup>3</sup> If the trier of fact finds that in committing the offense the offender caused the pilot of a manned aircraft to take evasive action, illegal drone operation is a first degree felony and the court *must* impose on the offender a definite prison term of 3, 4, 5, or 6 years and a fine of at least \$10,000 but not more than \$20,000.<sup>4</sup> Further, if the trier of fact finds that the offense involved a midair collision with a manned aircraft, illegal drone operation is a first degree felony and the court *must* impose on the offender a definite prison term of 7, 8, 9, 10, or 11 years and a fine of not less than \$10,000 but not more than \$20,000.<sup>5</sup>

## **Drone sales records**

The bill requires a retail seller of drones to record the name and address of every person who purchases a drone from the seller. The seller must keep this information for three years from the date of sale. The seller also must give the buyer written information summarizing Ohio laws governing the operation of a drone and the penalties associated with those laws.<sup>6</sup> A violation of those duties is a first degree misdemeanor (up to 180 days in jail and up to \$1,000 fine).<sup>7</sup> The bill requires the Director of Public Safety to adopt rules in accordance with the Administrative Procedure Act that establish the manner in which retail sellers must record the name

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<sup>1</sup> R.C. 4561.50(B).

<sup>2</sup> R.C. 4561.50(A).

<sup>3</sup> R.C. 4561.50(C)(1).

<sup>4</sup> R.C. 4561.50(C)(2).

<sup>5</sup> R.C. 4561.50(C)(3).

<sup>6</sup> R.C. 4561.51(A).

<sup>7</sup> R.C. 4561.51(C) and (D); see also R.C. 2929.24 and 2929.28, not in the bill.



and address of a buyer of a drone and the form and contents of the written information a seller must give to a buyer of a drone.<sup>8</sup>

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## HISTORY

ACTION	DATE
Introduced	05-19-15

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<sup>8</sup> R.C. 4561.51(B).

