

SENATOR
TED GAINES



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OFFICE OF THE CITY CLERK
OAKLAND

FACT SHEET SB 168

DRONES AND EMERGENCY SITUATIONS

SUMMARY

Senate Bill 168 will increase the fines for drone interference with firefighting activities and will grant civil immunity to any emergency responder who damages a drone in the course of firefighting, air ambulance, or search-and-rescue operations.

BACKGROUND

Early in the course of this drought-heightened fire season, private-authorized drones have repeatedly halted firefighting efforts. The simple presence of these drones has forced firefighters to ground mission-critical tanker aircraft, unnecessarily putting pilots, firefighters, civilians and property at risk.

California Law currently makes it a misdemeanor to interfere with firefighting efforts. Senate Bill 168 increases the penalty for drone interference with these efforts. Disruption by drones at all fires-wildfire or otherwise- can have grave consequences and must be severely dealt with in California's code.

Senate Bill 168 will also help ensure that emergency responders fighting these fires can do the job of protecting the public without worrying about frivolous lawsuits. As drones become

more accessible to the public, their presence in the sky is quickly increasing. It is essential that lifesaving services provided by emergency responders be free to continue despite someone's misplaced desire to capture images for YouTube and the like.

It is the author's hope and intent that the advent of effective "jamming" technology could keep drones away from emergency response areas and flight paths, and that warnings and public education efforts could ensure that the safest, least-damaging methods for avoiding or disabling unauthorized drones will be the primary methods used in these crises.

Senate Bill 168 is a critical piece of legislation to keep rogue drones from interfering with the most effective response to time-sensitive crises.

WHAT SPECIFICALLY WOULD THIS BILL DO?

1) This bill will make it a misdemeanor to knowingly, intentionally or recklessly operate a drone in a manner that prevents, delays, or interferes with the efforts to extinguish a fire. The bill makes a violation of the above punishable by up to 6 months in county jail, a fine not to exceed \$5,000 or both the fine and imprisonment.

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2) Senate Bill 168 also provides civil immunity to emergency responders, as defined, for damaging a drone in the course of providing specified emergency services if the drone was interfering with one of the emergency services. The specified emergency services are as follows:

- (a) Operating or supporting air ambulance services,
- (b) Operating or supporting an aircraft engaged in firefighting or firefighting-related operations, or
- (c) Providing search and rescue services.

Support

League of California Cities (Co-Sponsor)
California Police Chiefs Association (Co-Sponsor)

Air and Surface Transport Nurses Association
California Fire Chiefs Association
California Professional Firefighters
California State Association of Counties
California State Firefighters' Association
California State Lodge, Fraternal Order of Police
Councilmember Dan Kalb, City of Oakland
County of San Bernardino
County of Riverside
County of San Diego
Emergency Nurses Association
Long Beach Police Officers Association
Los Angeles County Professional Peace Officers Association
Sacramento County Deputy Sheriffs' Association

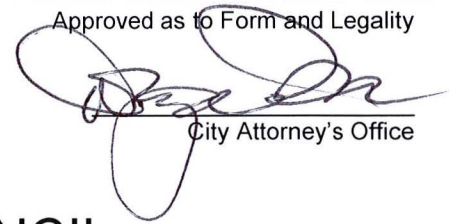
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Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER DAN KALB

RESOLUTION IN SUPPORT OF STATE SENATE BILL (SB) 168 (GAINES AND JACKSON) THAT WOULD MAKE IT UNLAWFUL TO INTERFERE WITH FIREFIGHTING WITH AN UNMANNED AIRCRAFT AND WOULD LIMIT EXPOSURE TO LIABILITY FOR EMERGENCY RESPONDERS (AND THEIR AGENCIES) THAT DAMAGE UNMANNED AIRCRAFT THAT INTERFERE WITH AMBULANCES, FIREFIGHTING, OR SEARCH & RESCUE

WHEREAS, early in the course of this drought-heightened fire season, private-authorized unmanned aircraft ("drones") have repeatedly halted firefighting efforts because their presence has forced firefighters to ground mission-critical tanker aircraft, unnecessarily putting pilots, firefighters, civilians and property at risk; and

WHEREAS, in June of this year, recreational drones flown over wildfires prevented firefighters from performing water drops over the Lake Fire in the San Bernardino Mountains, while another drone delayed efforts to battle a 35 acre blaze in Mill Creek Canyon for over 20 minutes in July; and

WHEREAS, disruptions by drones of efforts to control or stop wildfires can have grave consequences; and

WHEREAS, the City of Oakland has experienced devastating fires in our hills; and

WHEREAS, while interfering with firefighting efforts is currently a misdemeanor under California law, increased penalties and the ability for firefighters to disable drones are needed to curb the growing presence of drones in wild fire areas; and

WHEREAS, Senate Bill (SB) 168 (Gaines, Jackson) would further limit exposure to civil liability for emergency responders and their agencies, for disabling drones that are interfering with ambulances, firefighting, or search & rescue operations as well provide increased penalties for persons who intentionally, knowingly, or recklessly operate drones in a manner that interferes with firefighters' efforts to control, contain, or extinguish a fire; and

WHEREAS, SB 168 is endorsed by the League of California Cities, California Fire Chiefs Association, California Professional Firefighters, California State Firefighters' Association, Emergency Nurses Association, Air and Surface Transport Nurses Association, and other groups; and now, therefore, be it

RESOLVED: That the Oakland City Council hereby endorses SB 168 and urges the California State Legislature and Governor Jerry Brown to support its enactment into law.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID, AND
PRESIDENT GIBSON MCELHANEY

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California