

**HOUSE BILL NO. 209**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE HIGGINS

Introduced: 1/21/14

Referred: Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the use, possession, and operation of unmanned aerial vehicles; and**  
2 **prohibiting the use of evidence obtained by the use of unmanned aerial vehicles without**  
3 **a warrant."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* **Section 1.** AS 12.45 is amended by adding a new section to read:

6 **Sec. 12.45.038. Admissibility of evidence obtained by the use of an**  
7 **unmanned aerial vehicle.** In a criminal action or proceeding, evidence obtained by  
8 the use of an unmanned aerial vehicle is admissible only if authorized by a search  
9 warrant as provided in AS 18.65.380.

10 \* **Sec. 2.** AS 18.65 is amended by adding a new section to read:

11 **Article 4A. Use of Unmanned Aerial Vehicles.**

12 **Sec. 18.65.380. Unmanned aerial vehicles.** (a) Unless the use of an unmanned  
13 aerial vehicle is specifically authorized in a search warrant as provided in AS 12.35, a  
14 peace officer may not

- 1                   (1) use an unmanned aerial vehicle in a criminal investigation;
- 2                   (2) direct the use of an unmanned aerial vehicle in a criminal
- 3 investigation; or
- 4                   (3) participate in a criminal investigation in which an unmanned aerial
- 5 vehicle is being used.
- 6                   (b) Notwithstanding (a) of this section, a peace officer may use an unmanned
- 7 aerial vehicle to assist during an emergency involving an imminent danger of death or
- 8 serious physical injury to a person or imminent and substantial damage to property.
- 9                   (c) A person may not possess or operate an unmanned aerial vehicle that is
- 10 armed with a dangerous instrument or explosive.
- 11                   (d) In this section,
- 12                   (1) "dangerous instrument" has the meaning given in AS 11.81.900;
- 13                   (2) "explosive" has the meaning given in AS 11.81.900;
- 14                   (3) "unmanned aerial vehicle" means an aircraft that is operated
- 15 without direct human intervention from inside or on the aircraft.