

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
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Legislation Title:

AN ORDINANCE relating to the regulation of unmanned aircraft systems operated by the Seattle Police Department; adopting City policies regarding the acquisition and operation of unmanned aircraft systems; and establishing a new Chapter 14.18 in the Seattle Municipal Code.

Summary of the Legislation: This legislation regulates SPD's use of unmanned aircraft by doing the following:

- Adds a new chapter to the Seattle Municipal Code under Title 14, Human Rights.
- Establishes a pilot program prohibiting SPD from: 1) operating any unmanned aircraft other than the two currently in its possession; and 2) acquiring any additional unmanned aircraft without Council authorization via Ordinance.
- Restricts unmanned aircraft use in the following way:
 - Can only be used for data collection on a specified target, cannot be equipped with weapons or be used for general surveillance.
 - States that SPD should avoid inadvertent data collection but inadvertent data collection is not a violation if it occurs while unmanned aircraft operated in good faith. Moreover, inadvertent data collection evidencing significant risk or personal injury can be used if consistent with current law.
 - Allows biometric matching technology to confirm the identity of the target.
 - Prohibits night operations and flying over open-air assemblies.
 - Prohibits operations over populated areas or heavily trafficked roads unless specifically authorized by the FAA. (SPD's current COA prohibits this).
- Requires SPD to obtain a warrant prior to deployment in all cases except for:
 - Exigent circumstances, i.e. when time is of the essence to reduce risk of serious harm. Some examples include search and rescue, hostage situations, and bomb threats.
 - Documenting traffic accidents
 - Training

In cases where a warrant is not required, SPD must obtain written authorization at or above the rank of lieutenant prior to deployment.

- Requires transparent and specific data retention and record keeping policies:
 - Data shall be deleted within 30 days unless shows evidence of criminal activity or civil liability, or the data is collected for training purposes.
 - SPD shall maintain a log recording each use of unmanned aircraft.

- Prior to deploying unmanned aircraft, SPD shall develop written policies that identify the retention schedule beyond 30 days, record keeping and tracking, access procedures, and responsibilities for compliance (per recommendation of City's Audit Department).
- Requires an annual report to the City Council documenting unmanned aircraft use by SPD.
- Requests the Audit Department to conduct audit to ensure SPD complies with ordinance.
- Includes liability language recommended by the Law Department.

Background:

In 2010, the Seattle Police Department (SPD) purchased two unmanned aircraft for \$82,500 using Department of Homeland Security grant funds.

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_____ This legislation does not have any financial implications.

(Please skip to "Other Implications" section at the end of the document and answer questions a-h. Earlier sections that are left blank should be deleted. Please delete the instructions provided in parentheses at the end of each question.)