

MN Drone Law Explainer



Law//

MN Statute: <https://www.revisor.mn.gov/laws/2020/0/Session+Law/Chapter/82/>

BCA 2021 Drone report:

<https://dps.mn.gov/divisions/bca/Documents/2021-Use-of-Unmanned-Aerial-Vehicles.pdf>

Drone Search Warrants:

<https://www.mncourts.gov/mncourtsgov/media/PublicationReports/2021-UAV-Search-Warrant-Report.pdf>

Stipulations in law//

Acquisition:

- LE must put forth proposal for acquiring UAV to governing body
- Must include a public comment section at regularly scheduled meetings, provide opportunity for comments submitted electronically or by mail.

Use of drone:

- Need search warrant or exception from below
 - **in 2020, zero warrants reported, used 1168 times without warrant**
 - **In 2021, 4 warrants sought, 1 rejected, 3 granted, used 2265 without**
- No face recognition attached
- No weapons attached
- No using it on public protests (unless with warrant or other exception)
- Must document each use, but limits on availability of documentation to public
- Data retention, data collected must be destroyed after 7 days (unless active investigation)

Vast majority of drone use done without warrant, just need to submit form with one of these exceptions to BCA:

1. emergency situation
2. public event with heightened risk to public safety
3. counter the risk of a terrorist attack by a specific individual or organization
4. prevent loss of life/property in natural or man-made disasters
5. “to conduct a threat assessment in anticipation of a specific event”
6. “to collect information from a public area if there is reasonable suspicion of criminal activity;”
7. crash reconstruction purposes
8. over a public area for officer training or public relations purposes; and
9. for purposes unrelated to law enforcement at the request of a government entity

Drones use by LE//

- Mostly DJI drones <https://www.dji.com/mavic>
- [“How are Police Using Drones”](#) article by EFF, mention passage of MN drone law
 - 1172 Police departments use drones, estimate from EFF
- [“Which Drones do Police Use”](#) drone blog, technical info