

**NetChoice** *Promoting Convenience, Choice, and Commerce on The Net*

Carl Szabo, Vice President and General Counsel  
1401 K St NW, Suite 502  
Washington, DC 20005  
202-420-7485  
[www.netchoice.org](http://www.netchoice.org)



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Rep. Laurie Jenkins, Chair  
House Civil Rights & Judiciary Committee  
Olympia, Washington

RE: **Opposition to HB 1270 – Relating to Unmanned Aerial Vehicles.**

Dear Chair Jenkins and members of the Committee,

We ask you not to advance HB 1270.

We agree with the intent to install reasonable regulations regarding the use of drones. However, HB 1270 creates unintended consequences to legitimate personal and commercial uses of drones and then pairs it with stiff fines.

Drones hold tremendous promise for businesses, professionals, and hobbyists. In areas like real estate, security, agriculture, architecture, engineering, and delivery, drones can provide significant commercial benefits to consumers and businesses in both rural and urban areas.

However, passing HB 1270 would prevent Washington residents from exploring many of these opportunities.

For example, HB 1270 would limit the ability of:

- Realtors using a drone to take pictures of a home – as they might capture pictures of adjacent homes;
- Farmers using a drone to monitor their crops – as they might stray into neighbors' lawns;
- News media and film makers using a drone to record events.

HB 1270 lacks the appropriate scienter for operation of drones, includes overly broad definitions and limitations, and lacks necessary exceptions for emergency safety situations where a drone must enter private property.

There are concerns about over-penalization as HB 1270 holds operators strictly liable for flying over another's property, even if the operator had no reason to know that the property was private.

Many other concerns about passing HB 1270 exist. Fortunately, Washington has existing laws that already protect the privacy and safety of residents.

Washington's existing laws addressing invasion of privacy,<sup>1</sup> voyeurism,<sup>2</sup> and trespass<sup>3</sup> are already fully applicable to the use of drones in Washington.

Instead of passing HB 1270 we suggest amending it to create clear rules for drone operators. We suggest adopting HB 1766 which achieves the goal of protecting citizens' privacy while avoiding the unintended harms of HB 1270.

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<sup>1</sup> WA RCW §42.56.050

<sup>2</sup> *Id.* § 9A.44.115

<sup>3</sup> *Id.* § 9A.52.080

While we ask that you not adopt HB 1270, we welcome the opportunity to work with you on reasonable regulations that allow all to prosper.

Sincerely,

Carl Szabo

Vice President and General Counsel, NetChoice

*NetChoice is a trade association of e-Commerce and online businesses.* [www.netchoice.org](http://www.netchoice.org)

*The views of NetChoice do not necessarily represent the views of its members.*