

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

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Senator Duey Stroebel, Chair
Committee on Government Operations, Technology and Consumer Protection
Wisconsin Senate

RE: **Support with Amendments for SB 701 – A Bill relating to: the operation and regulation of unmanned aircraft and providing a penalty.**

Dear Chairman Stroebel and members of the committee,

We write to express our support with amendments for SB 701 regarding the safe operation of Unmanned Aircraft Systems (hereinafter "UAS").

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

With our proposed amendments, SB 701 strikes the right balance by installing reasonable regulations regarding the use of UAS.

For example, SB 701 would help enable:

- Farmers to use UAS to monitor their crops
- Realtors to use UAS to take better pictures of homes for sale
- News media and film makers to use UAS to make films and report events.

The amendments we propose remove language that would keep UAS grounded and to avoid criminalizing innocent flights of UAS.

We suggest adding a mens rea of "knowingly and intentionally" in the following ways:

On Page 2 lines 2-6:

Flying and landing, limitations. Subject to ss. 114.105 and 175.55, and except as provided in s. 114.045, flight of or in aircraft or spacecraft over the lands and waters of this state is lawful, unless and at such a low altitude as to knowingly and intentionally interfere with the then existing use to which the land or water, or the space over the land or water

On Page 2 line 15:

No person may operate a drone, as defined in s. 114.105 (1)(a), in any of the following manners to knowingly and intentionally:

On Page 3 lines 1-3:

114.045 (1) (b) So as to knowingly and intentionally interfere with the official duties of a police officer, fire fighter, emergency medical responder, emergency medical services practitioner, or search and rescue officer.

We suggest adding “primary” Page 3 lines 8-10:

3. For the primary purpose of photographing, recording, or otherwise observing another individual in a place or location where the individual has a reasonable expectation of privacy

With these proposed amendments, SB 701 can clarify and set forth reasonable rules for operation of UAS and SB 701 will create the right path forward for Wisconsin’s regulation of UAS.

We ask that you advance with amendments SB 701, and we welcome the opportunity to work with you.

Sincerely,



Carl Szabo
Vice President and General Counsel, NetChoice

NetChoice is a trade association of e-Commerce and online businesses. www.netchoice.org