



Sen. Richard C. Martinez, Chair
New Mexico Senate
490 Old Santa Fe Trail
Santa Fe, NM 87501

March 10, 2017

RE: **SB 348 – Regulating the operation of drones**

Dear Chairman Martinez and members of the Judiciary Committee,

We ask that you amend SB 348.

We support the effort to protect first responders' ability to operate. However, we ask that you clarify SB 348 to clarify that operators may not *knowingly* interfere with first responders rather than strictly liable.

The language of Section 1(A) reads:

It shall be unlawful to operate, direct or program a drone to fly: (1) within five hundred feet of critical infrastructure in New Mexico; and (2) in a manner that interferes with the official duties of a first responder.

However, this would criminalize an operator who accidentally flies near a first responder – even if the operator had no reason to know of the first responders' presence.

To protect New Mexico residents who operate drones without criminal intent, we ask that you make the following change:

It shall be unlawful to knowingly operate, direct or program a drone to fly: ~~(1) within five hundred feet of critical infrastructure in New Mexico;~~ and ~~(2)~~ in a manner that intentionally interferes with the official duties of a first responder.

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, without this proposed amendment, SB 348 discourages New Mexico residents from exploring many of these opportunities.

We ask that you amend adopt SB 348, we welcome the opportunity to work with you on reasonable regulations that allow all to prosper.

Sincerely,

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NetChoice

Tammy Cota
Executive Director
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Sarah Matz
Director, State Government Affairs - South
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