

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

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Rep. Jeff Morris, Chair  
436A Legislative Building  
PO Box 40600  
Olympia, WA 98504

RE: **Opposition to HB 1049 – An Act Relating to unmanned aircraft**

Dear Chairman Morris and members of the Technology & Economic Development Committee,

We respectfully ask you not to reconsider HB 1049.

We agree with the intent to install reasonable regulations regarding the use of drones. However, HB 1049 creates unintended consequences to legitimate personal and commercial uses of drones.

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 1049 would prevent Washington residents from exploring many of these opportunities.

For example, HB 1049 would limit the ability of:

- Realtors to use a drone to take pictures of a townhouse -- unless they obtain consent from all owners of adjacent units.
- Farmers from using a drone to take monitor their crops if it happens to fly into adjoining land belonging to someone else.
- News media and film makers to record since they would require consent from every venue over which they fly.

HB 1049 also lacks necessary exceptions for emergency safety situations where a drone must enter private property.

Fortunately, Washington has existing laws that already protect the privacy and safety of residents. For example, laws addressing stalking<sup>1</sup> and invasion of privacy<sup>2</sup> are already fully applicable to the use of drones in Washington.

Regarding the flight restrictions, the US Department of Transportation provides conflicting height restrictions.

Instead of passing HB 1049 we suggest amending it to create clear rules for drone operators. We suggest replacing the existing bill text with the "Unmanned Aircraft Systems Act" (UASA) based on existing Michigan Law (SB 992 2016).

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<sup>1</sup> W.A. RCW § 9A.52.080

<sup>2</sup> *Id.* § 42.56.050

The UASA, available at [NetChoice.org/DroneModel](http://NetChoice.org/DroneModel), enables the safe and lawful operation of drones by promoting accountability of operators, protecting privacy and property rights, and prescribing penalties for interference with first responders.

The UASA:

- Creates statewide standard allowing clarity for individuals and government.
- Recognizes licensing by FAA.
- Prohibits using a UAS to knowingly and intentionally:
  - Interfere with the official duties of first responders.
  - Harass, stalk, or violate restraining orders.
  - Recording an individual in a manner that invades the individual's reasonable expectation of privacy.
- Creates a process to register locations as critical infrastructure.

While we ask that you not adopt HB 1049, we welcome the opportunity to work with you on reasonable regulations that allow all to prosper.

Sincerely,



Carl Szabo

Senior Policy Counsel, NetChoice

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