

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

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Rep. Laurie Jenkins, Chair
204A John L. O'Brien
Olympia, WA 98504-0600

RE: **Opposition to HB 2477**

Dear Chairman Jenkins and members of the Judiciary Committee,

We ask you not to advance HB 2477.

We agree with the intent to install reasonable regulations regarding the privacy of Washington citizens. However, HB 2477 creates unintended consequences to legitimate personal and commercial uses of drones.

Drones hold tremendous promise of hobbyists and businesses. From real estate to security, agriculture, architecture, engineering, and package delivery, drones can provide tremendous commercial benefits to consumers and businesses in both rural and urban areas.

However, passing HB 2477 would prevent Washington residents from enjoying many of these opportunities.

At the same time HB 2477 would prevent the following acts as to capture photos using a drone might, unintentionally, violate HB 2477:

- Realtors from using a drone to take pictures of a condo without the consent of all owners of all visible condos.
- Insurance agents from using a drone to survey an accident scene near a power line or bridge.
- Press and media from using a drone to report on issues of public safety or film making.

Fortunately, Washington has existing laws that already protect the privacy and safety of residents. For example, laws addressing trespass,¹ harassment,² and violations of privacy³ apply today to the use of drones in Washington.

Moreover, existing tort law provides Washington citizens recourse for invasions of privacy.

Clearly, taking the prohibitive steps of HB 2477 is not only unnecessary, but its unintended consequences will harm Washington residents.

Instead of passing HB 2477 we suggest amending it to create clear rules for drone operators. We suggest substituting the existing bill text with the "Unmanned Aircraft Systems Act" (UASA) based on existing Michigan Law ([SB 992](#) 2015).

¹ WA Code § RCW 9A.52.070

² WA Code § RCW 9A.46.020

³ WA Code § RCW 9A.44.115

The UASA, available at NetChoice.org/DroneModel, enables the safe and lawful operation of drones by promoting accountability of operators, protect privacy and property rights, and to prescribe 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 2477, we welcome the opportunity to work with you on reasonable regulations that allow all to prosper.

Sincerely,



Carl Szabo

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