

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

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January 31, 2017

Sen. Michael Young, Chair  
200 W. Washington Street  
Indianapolis, IN 46204

RE: **Request for amendments to SB 299 – An Act relative to the use of drones**

Dear Chairman Young and members of Corrections and Criminal Law Committee,

We ask you amend SB 299.

We agree with the intent to install reasonable regulations regarding the use of drones. However, we worry that without amendments to the language in Section 5, SB 299 will create 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, without amendments, SB 299 would prevent Indiana residents from exploring many of these opportunities.

For example, SB 299 could block:

- Realtors from using a drone to take aerial pictures of townhouses.
- News media from filming a parade or march along a residential route.
- Insurance agents from using a drone to survey an accident scene within a housing complex.

Fortunately, Indiana already has existing laws that already protect the privacy and safety of residents.

Rather than risk grounding legitimate uses of drones, we suggest using the following language from the "Unmanned Aircraft Systems Act" (UASA), available at [NetChoice.org/DroneModel](http://NetChoice.org/DroneModel). The UASA is based on existing Michigan Law (SB 992 2016).

SECTION 5. IC 35-45-4-5, AS AMENDED BY P.L.158-2013,24SECTION 529, IS AMENDED TO READ AS FOLLOWS<sup>25</sup>[EFFECTIVE JULY 1, 2017]: Sec. 5.

...

(g) A person who, without the consent of another person, ~~operates an unmanned aerial vehicle in a manner that:~~

~~(1) is intended to causes the unmanned aerial vehicle to enter the space above or surrounding the other person's occupied dwelling for the purpose of capturing images, photographs, video recordings, or audio recordings of the other person while the other person is:~~

~~(A) within the other person's occupied dwelling; or~~

~~(B) on the land or premises on which the other person's occupied dwelling is located;  
and~~

~~(2) knowingly and intentionally operates an unmanned aerial vehicle to capture photographs,  
video, or audio recordings of an individual in a manner that invades the other person's  
reasonable expectation of privacy and that would constitute invasion of privacy;~~

commits remote aerial voyeurism, a Class A misdemeanor.

We ask that you amend SB 299 and 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)*