**AMA District I Reference Doc.
030451****TYPE:** State Flying Sites
Restrictions & Authority**AGENCY:** Representatives, R.I.**ISSUES:** At or near airports, parks,
schools, ponds, private property,
government buildings.
State exclusive authority.

March 4, 2015

Bob Brown
PresidentHonorable Representative Donald J. Lally, Jr.
rep-lally@rilin.state.ri.usGary Fitch
Executive Vice President

Re: Opposition to H 5453

Keith Sessions
Chief Financial Officer

Dear Representative Lally, Jr.,

Andrew Argenio
District I V.P.
CT, ME, MA, NH, RI, VT

The Academy of Model Aeronautics (AMA) is the official national association for model aviation in the United States with more than 175,000 members and 2,450 AMA flying clubs. My name is Andrew Argenio and I am a lifelong resident of Rhode Island. I have had the honor of serving as an AMA national executive board member and district vice president for the New England aeromodeling community for more than a decade.

Eric Williams
District II V.P.
NJ, NY, Europe

I write today to support my fellow AMA members and clubs in the state of Rhode Island who are in opposition to H 5463 The Rhode Island Unpiloted Aerial Vehicles Act of 2015. As written, the bill would overly restrict and prohibit AMA members from flying their model-aircraft or drones at locations that they have flown at for more than 35 years without incident or endangering people, property, or manned aircraft.

Mark Radcliff
District III V.P.
OH, PA, WV

There are five AMA flying clubs that have a total of nine AMA chartered flying sites in Rhode Island located in Cranston, West Greenwich, Tiverton, Exeter, Richmond, and Charlestown. Other flying locations exist at public parks, schools, colleges, ponds, private property and less than 2 miles from airports where flying of RC model aircraft have been permitted for many years and have flown safely, responsibly, and lawfully.

Jay March
District IV V.P.
DE, DC, MD, NC, VA

Rhode Island AMA clubs and their members have introduced and trained thousands of individuals of all ages how to conduct model aircraft flights in accordance with AMA's National Model Aircraft Safety Code and the FAA's Advisory Circular 9157.

Kris Dixon
District V V.P.
AL, FL, GA, MS, PR, SC,
TN, VI

The AMA, working in a collaborative effort with the FAA since 2008, continues to evolve its safety standards of operational requirements and limitations to mitigate risks for accommodating new technologies that meet or exceed FAA requirements for safe integration of small Unmanned Aerial Systems (sUAS) into the National Airspace System (NAS).

Randy Cameron
District VI V.P.
KY, IL, IN, MO

Regarding bill section 1-8-2, "R.I. shall have exclusive authority to regulate drones," it's unlikely that any state would ever have exclusive legal authority to regulate drones because courts have held that the U.S. government by statute "has exclusive sovereignty" of the NAS and any state or local statutes would be preempted by FAA regulations.

Tim Jesky
District VII V.P.
IA, MI, MN, WI

With respect to bill section 1-8-3, "Registration," under federal regulations, model aircraft flown for recreation do not require registration. Most enthusiasts have numerous sUAS/drones and having to register them would be overly burdensome and expensive. Custom- or kit-built drones don't have serial number markings, and without defining weight or size, toy drones costing \$14.99 would be subject to a \$15 registration fee.

Mark Johnston
District VIII V.P.
AR, LA, NM, OK, TX

Considering bill section 1-8-4, "Areas of prohibited operation," (1, 2, 3) within 5 miles of T.F. Green, Quonset Point, and any military airport/airfield, several hundred AMA clubs in the U.S. have a long history of operating safely on or within 2 to 5 miles of airports or military airfields without incidents. They enjoy this privilege because the clubs and their

Jim Tiller
District IX V.P.
CO, KS, NE, ND, SD, WYLawrence Tougas
District X V.P.
AZ, CA, GU, HI, NV, UTChuck Bower
District XI V.P.
AK, ID, MT, OR, WA

members are recognized as worthwhile tenants that provide a watchful eye on and help protect and maintain the site areas they occupy. Airport managers and security personal have frequently informed the AMA that the presence of AMA clubs in the vicinity of their airports deters those who would operate model aircraft carelessly or unlawfully at or near their airports.

With regard to (4) that states “Within 2 miles of any emergency aeronautic vehicle,” the FAA/AMA provide a safe altitude limit of 500 feet above ground level to fly drones clear of manned emergency aircraft operations above 500 feet. There is no additional benefit in having a flight restriction around a helicopter landing zone that is greater than 0.5 miles horizontal radius from the landing zone.

Referring to (5) (6), “Prohibited operation within 0.5 miles of government building, schools, colleges, or universities,” AMA clubs and members have demonstrated years of flying at locations and events within 0.5 miles of these facilities without incident. But more important, educational courses offered at Rhode Island technical schools, colleges, and universities, including Rhode Island College and Cranston Area Career and Technical Center, would be unable to do UAV student flight training, testing, and research on their campus facility grounds.

The Association of Unmanned Vehicles Systems International (AUVSI) has predicted that the economic impact by 2017 of UAV in Rhode Island could be \$42 million. Model aviation hobby experiences often encourage students to pursue careers in science, technology, engineering, and math.

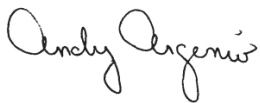
Considering Section 11-64-3, “Invasion of privacy by drone,” AMA’s National Safety Code operational documents for AMA members have contained privacy protection safeguards since 2012.

Because AMA club’s and members maintain an impeccable safety record, model aviation regulations for AMA’s recognized community-based organization were exempted from FAA regulation and signed into law by President Barack Obama on February 14, 2012, as Public Law 112-95 section 336 (c) and reaffirmed by the FAA Notice of Proposed Rule Making released on February 15, 2015.

We urge you, as legislators, to allow AMA clubs and members to operate as Congress and the FAA provided in their exemption criteria for model aircraft by amending H 5453 to include an exclusion as provided by Senator Edward Markey in his March 2013 H.R.1262 bill titled “The Drone Aircraft Privacy & Transportation Act of 2013,” Section 5: Model Aircraft Provision: *“Nothing in this bill may be construed to apply to model aircraft as defined in section 336 (c) of the Modernization and Reform Act of 2012.”*

Thank you for considering amendments to H 5453. I would be happy to meet with you to further explain our organization and its community-based safety programming or to answer any further questions you may have.

Sincerely,



Andrew Argenio
3 Sheila Lane
Smithfield RI 02917
Cell: (401) 575-6215
amaflightsystems@gmail.com

The following are links to AMA and FAA UAS/model aircraft operational documents and Public Law -112-95 Sec 336 (c):

- 1) AMA sUAS Flight Safety Guide
http://suas.modelaircraft.org/ama/images/sUAS_Safety_Program_web.pdf
- 2) FAA Advisory Circular 9157 “Model Aircraft Operating Standards”
<http://www.modelaircraft.org/files/540-c.pdf>
- 3) FAA Model Aircraft Hobby/Recreational Flying
http://www.faa.gov/uas/publications/model_aircraft_operators/
- 4) FAA Overview of Small UAS Notice of Proposed Rulemaking
<http://www.modelaircraft.org/Gov/nprm/sUAS-Summary-chart-FINAL2.15.15.pdf>
- 5) Public-Law 112 Sec 336 (c) Special Rule for Model Aircraft
http://www.modelaircraft.org/files/HR658_020112.pdf