

District I—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont



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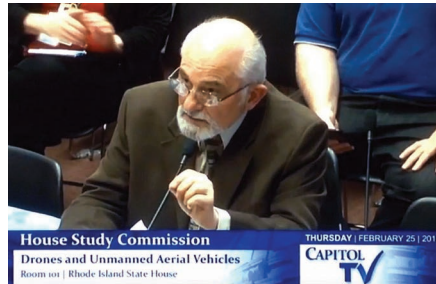
The Rhode Island Legislative Unmanned Aircraft & Drone Study Commission is composed of five House Representatives and six government member appointees.

FAA Administrator Michael Huerta, in a Boston WBUR radio interview on drones, announced that as of March 10, 2016, nearly 395,000 people had registered as recreational operators or owners of UAS. It was also estimated that these operators owned on average two UAS, accounting for about 800,000 in the nation.

What wasn't mentioned is that probably more than 300,000 of the registered UAS are traditional model aircraft owned by the 150,000 or so AMA members. These traditional aircraft are without GPS/autopilot navigational capability and flown at safe AMA chartered flying sites. They have not been involved in any of the "close call" incidents of manned and unmanned aircraft reported by the FAA in 2015.

A pilot can only operate one UAS at a time and, since it's highly unlikely that 395,000 pilots would ever fly at the same time, the total number of UAS flying is far from the critical level the media portrays. In the US we have 3,500,000 square miles of land area with more than enough national airspace to accommodate the safe operation of both manned aircraft above Class G airspace and unmanned aircraft below, without excessive prohibitions and unreasonable regulations.

On February 25, 2016, the Rhode Island Legislative UA/Drone Study Commission's chairperson, Representative Stephen Ucci, asked that I provide testimony related to the commissions recommended UAS regulations for the state. My testimony focused on opposition to proposed legislation that would give the state exclusive authority to regulate UAS



Andy Argenio testified on AMA's safety programming for recreational sUAS/drone operations and state proposed regulations.

operations, impose UAS registration and fee requirements, and create areas of prohibited UAS operations near airports, government buildings, schools, and colleges.

With respect to exclusive state UAS authority, I referred the commission to the Federal Aviation Act of 1958, which allows courts to invoke the doctrine of implied preemption to invalidate state aviation laws, even complimentary state regulations are impermissible. Consistent rules for UAS operations without differing state regulations, ensures the highest level of safety.

In terms of registration, I referred to FAA's December 17, 2015, document titled "State and Local Regulations of UAS." It states "no state or local government may impose an additional registration requirement on the operation of UAS in navigable airspace without first obtaining FAA approval." I also mentioned that we were already paying a reasonable federal operator registration fee and that a Rhode Island proposed \$15 fee per aircraft was overly burdensome and unlikely to be complied with.



XactSense: UAV & Remote Sensing Technologies company owner, Andy Trench, testified on the need for reasonable commercial drone regulations.

With regard to prohibited areas of operation, I referenced the previous FAA document in the section of "State and Local Laws for which Consultation with FAA is Recommended." It stipulates that state and local UAS regulations restricting flight altitudes, paths, areas of operation or within certain distances of cities or landmarks, are strictly scrutinized by federal courts. I suggested that rather than restrict or ban all UAS operations at public locations, the state should consider granting permission based on risk differences attributed to the location, the type of UAS, and the kind of flying activity, on a case by case application.

Letters with additional AMA opposition and recommendations on R.I. bills H7022, H7334, and H7511 were sent to each of the members of several committees. More information on New England legislation may be found on the District I website. YouTube videos of AMA member Andy Trench's testimony and my testimony may be viewed at <https://youtu.be/pDT4Ppee7ec> and <https://youtu.be/qiCzq6yq8YY>.

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