

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



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We supported the FAA’s Notice of Proposed Rulemaking (NPRM) exemption of recreational model aircraft from regulation; however, many of us expressed concerns about the FAA’s interpretation of Congress’ intent in Public Law 112-95, Section 336(c). We believe FAA’s interpretation attempts to circumvent public law. When and if these issues get settled with the FAA or in court, we are now seeing a proliferation of state legislation to address public safety, security, and privacy concerns.

After attending several legislative hearings and listening to the testimony of a variety of people representing human rights, law enforcement, and those lobbying for or against sUAS/drone bills, it became apparent that with no single government agency, or at any one level of government, will issues of sUAS/drones be resolved. The FAA in its NPRM does not address privacy protection safeguards. We need to continue to lobby at the federal, state, and municipal levels to protect the interests of AMA members flying in the National Airspace System.

Most of the individuals who testified on drone legislation favored state and municipality legislation over federal regulations. Federal legislation tends to be a one-size-fits-all regulation, which doesn’t take into account the differences in geographical locations in terms of risks and drone applications. For example, drone restrictions for precision agricultural uses in a rural location would differ dramatically because of the higher risks to the public in an urban area. For this reason,



The State of Rhode Island Judiciary Committee hearing on HB5453, a bill to register drones or RC aircraft and restrict flying near airports, schools, and government buildings.

Rhode Island’s HB5292, which sought exclusivity for the state to regulate over municipalities, did not move forward.

Those who testified on Rhode Island’s HB5454, which deals with privacy protection and the requirement of warrants by law enforcement, argued that this was necessary because the Supreme Court has held that we do not have reasonable expectation of privacy above our homes. This bill was held for further study to include exemptions for such uses as search and rescue, large event monitoring, and locating an active shooter.

The bill of most concern to aeromodeling was Rhode Island’s HB5453, which included exclusive authority to regulate, register, and charge fees of \$15 for each model aircraft, prohibit flying within 5 miles of large airports, and within 2 miles of smaller state airports and emergency aircraft. It also prohibited flying within .5 miles of government buildings, schools, and colleges and prevented drones from capturing images within occupied dwellings.

On March 31, 2015, I testified at the Rhode Island State House. I was the last person to testify opposition to HB5453. Essentially, I opposed exclusive authority because, by statute only, the FAA has exclusive sovereignty. I opposed registration because without defining and classifying the types of aircraft, a \$20 toy airplane would require the same fee as a \$15,000 jet, and those with numerous aircraft would be overly burdened.



District I Vice President Andy Argenio spoke in opposition to regulations in House Bill 5453.

With regard to prohibited flying near airports, the comments made in my column last month concerning the New Hampshire bill addressed my opposition. The value of flying on or near schools or colleges was expressed by sUAS educational programs, research, and letters from technical schools supporting permitted flying. The privacy safeguards are addressed in AMA’s FPV and autopilot operational documents. In conclusion, the legislators were urged to exempt us from any drone bills because of AMA’s exceptional safety record and its community-based organization status as affirmed by Congress and reaffirmed by the FAA.

Representative Cale Keable advised that, if HB5293 establishes a legislative drone study commission, he would look forward to my participation.

I appreciate the input and advice from district members. Anyone wishing to help us in addressing legislation can track bills on state government websites or using www.legiscan.com.

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