

From: Michael E. Olsen meolsen@yahoo.com
Subject: Resolution 1175-2015 - unmanned aircraft privacy
Date: May 18, 2015 at 12:16 PM
To: Tom.Muratore@suffolkcountyny.gov, PresidingOfficer.Legislature@suffolkcountyny.gov



Presiding Officer Gregory and Legislator Muratore,

I write to urge you to tailor or reconsider Resolution 1175-2015, which would seek to prohibit the operation of radio controlled, unmanned aircraft with cameras over any county property. I believe the law may overreach and have unintended effects.

I understand that you are seeking to protect both privacy and safety, and would urge that you prohibit reckless or dangerous operation near a county site, and prohibit the use of any camera equipment — whether mounted on a hobby plane or operated by hand — that invades any person's reasonable expectation of privacy. This would be more protective and directed, and I ask that you consider this.

A few key points on the proposed resolution:

First, I am a quadcopter hobbyist, and my quadcopter is equipped with a camera. I use it to take lovely landscape and panoramic photos of the beaches, parks, and water around Long Island. Like other similar devices, mine is equipped with a long-range, very wide angle camera that is ill suited to invade anyone's privacy.

Second, I take care NOT to fly over person's homes and yards. Although there is no FAA restriction on doing so, I prefer to fly in open areas — like parks and beaches — that are safer, less intrusive.

Third, the prohibition on flying over parks and beaches (some, County owned) may drive hobbyists to fly over others' homes and in neighborhoods. This is incrementally less safe than parks and beaches, and would be an unfortunate result of the prohibition.

Fourth, and finally, note that the Federal Aviation Administration has exclusive jurisdiction over domestic airspace. This was confirmed recently by Congress' passage of the FMRA (FAA Modernization and Reform Act of 2012). This preemption by Congress for the FAA is complete and "occupies the field" of aviation regulation except for specific carve outs for local government related to operating their own aircraft, use of local facilities and sites, and operation of airports.

Given these points, might you consider more targeted privacy and safety rules that do not invade the interests of conscientious hobbyists?

<http://www.gpo.gov/fdsys/pkg/USCODE-2011-title49/html/USCODE-2011-title49-subtitleVII-partA-subpartI-chap401-sec40103.htm>

Thank you for your kind consideration of this suggestion,

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