



NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

March 15, 2016

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Senate President Pro Tempore
Utah
President, NCSL

Karl Aro
Director of Administration
Department of Legislative Services
Maryland
Staff Chair, NCSL

William T. Pound
Executive Director

The Honorable John Thune
Chairman
Committee on Commerce, Science
and Transportation
United States Senate
512 Dirksen Senate Building
Washington D.C., 20510

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science
and Transportation
United States Senate
716 Hart Senate Building
Washington D.C., 20510

Re: S. 2658 – Federal Aviation Administration Reauthorization Act of 2016

Dear Chairman Thune and Senator Nelson,

On behalf of the National Conference of State Legislatures (NCSL), the bipartisan organization that serves all legislators and legislative staff of the nation's states, commonwealths and territories, we have significant concerns with Section 2142, "Effect on Other Laws," of the Senate Commerce, Science and Transportation Committee's Federal Aviation Administration Reauthorization Act of 2016.

The rise of unmanned aerial systems (UAS) has been nothing short of dramatic. In February, the Federal Aviation Administration (FAA) [reported](#) over 300,000 registrations in only the first few months since putting in place its registration requirement for all UAS owners late last year. Additionally, the FAA has issued 3,800 exemptions to allow commercial UAS operations to move forward in specific instances. These figures show how crucial it is to establish a set of rules and regulations in order to ensure a safe and secure environment for both commercial and recreational UAS operations.

However, it has now been over 40 months since the FAA was required by Congress as part of its 2012 reauthorization to finalize a plan to safely integrate UAS operations into the national airspace. Therefore, NCSL strongly urges the removal of Section 2142 that would completely undo the significant work accomplished by our colleagues across the country to ensure the safety and well-being of our constituents. As of March 11, 2016, [26 states](#) have enacted legislation pertaining to the use of UAS and would see their work be immediately undone with the approval of this section. These state laws aim to address a range of concerns with regards to UAS including, but not limited to, their use in aerial photography, commercial operations, voyeurism, hunting and more.

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Additionally, in certain instances, some states have required registration of a UAS, for many of the reasons outlined by FAA itself, in order to ensure the safe and secure use of this technology.

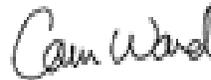
By approving Section 2142, the committee would undo all the work that states have accomplished and would further exacerbate the level of uncertainty regarding the many unresolved questions currently hovering over both commercial and recreational UAS operations. Especially as it appears unlikely that the FAA will finalize its regulations before this committee votes on the legislation.

We would welcome the opportunity to further discuss our position and hope the committee will take our recommendations into consideration as it moves forward in reauthorization of the FAA. Please contact Ben Husch (ben.husch@ncsl.org) or Melanie Condon (melanie.condon@ncsl.org) for any additional information.

Sincerely,



Delegate Sally Jameson
Maryland House of Delegates
Co-Chair, NCSL Natural Resources and
Infrastructure Committee



Senator Cam Ward
Alabama Senate
Co-Chair, NCSL Natural Resources and
Infrastructure Committee