



Senate Bill 370

Unmanned Aircraft Systems Research, Development, Regulation, and Privacy Act of 2015

MACo Position: **OPPOSE**

To: Finance Committee

Date: March 10, 2015

From: Robin Clark and Natasha Mehu

The Maryland Association of Counties **OPPOSES** SB 370. This bill provides that the State may enact a law to prohibit, restrict, or regulate unmanned aircraft, specifically preempting the authority of a county or municipality to prohibit, restrict, or regulate the testing or operation of unmanned aircraft systems.

Regulation of governmental, commercial, and recreational use of unmanned aircraft systems is currently performed by the Federal Aviation Administration (FAA). The FAA has three separate authorization programs for operators in these categories. Civil operations include restricted use of unmanned aircraft to protect public safety, while commercial uses include agricultural applications, research and development, and market surveys. Recreational use is for aircraft hobbyists.

This legislation's preemption of local authority undermines a county government's role in protecting the privacy rights of its citizens. The legislation would preempt a county from prohibiting, restricting, or regulating the testing or operation of unmanned aircraft system (commonly known as drones) even within its own jurisdiction. County governments would like to have the option to write laws and regulations over commercial and recreational use of drones as necessary to protect the privacy of residents.

This legislation may also have an unintended effect on the ability of a county to develop its own governmental uses of unmanned aircraft. Maryland county police and fire departments have begun deploying unmanned aircraft in response to emergencies within the Federal Aviation Administration's regulations. Counties would like to maintain their ability to develop these public safety programs under the full potential provided by federal law and would like to clarify that this legislation will not restrain that opportunity.

For these reasons, MACo urges an **UNFAVORABLE** report on SB 370.