

Bill as
Introduced

HB 97-FN - AS INTRODUCED

2017 SESSION

17-0102
04/01

HOUSE BILL

97-FN

AN ACT relative to the use of drones.

SPONSORS: Rep. Kurk, Hills. 2; Rep. Berch, Ches. 1; Rep. Cushing, Rock. 21

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill regulates the use of drones by government agencies and individuals. This bill establishes criminal penalties and civil remedies for violations of the law.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to the use of drones.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Chapter; Drones. Amend RSA by inserting after chapter 422-C the following new
2 chapter:

3 CHAPTER 422-D

4 DRONES

5 422-D:1 Definitions. In this chapter:

6 I. "Airspace" means the space above the ground in New Hampshire.

7 II. "Automated surveillance" means surveillance employing a mechanical or electronic
8 device, computer or software, including but not limited to facial recognition technology, that
9 functions continuously without continuous input from a human operator.

10 III. "Commercial purpose" means to exchange for money, goods or services or to exchange
11 with the intention of directly or indirectly benefiting any business or other undertaking intended
12 for profit.

13 IV. "Critical infrastructure" means a petroleum or chemical production, transportation,
14 storage or processing facility; a chemical manufacturing facility; a pipeline and any appurtenance
15 thereto; a wastewater treatment facility; a water treatment facility; a power generating station,
16 plant or substation and any appurtenance thereto; any transmission line that is owned in whole or
17 in part by a utility regulated under state law; a telecommunications central switching office; a flood
18 control, hydroelectric power generation or water supply dam or reservoir; a county, city, or town jail
19 or detention facility, police station or fire station; and any prison, facility, or institution under the
20 control of the department of corrections. The term shall not include any facility or infrastructure of
21 a utility that is located underground.

22 V. "Drone" means a powered, aerial vehicle, excluding a geosynchronous satellite, that:

- 23 (a) Does not carry a human operator;
24 (b) Uses aerodynamic forces to provide vehicle lift;
25 (c) Can fly autonomously or be piloted remotely; and
26 (d) May be expendable or recoverable.

27 VI. "Government" means the federal government, the state government and any political
28 subdivisions thereof, and state and municipal agencies and departments, including employees and
29 agents.

30 VII. "Image" means a record, including a photograph, of thermal, infrared, ultraviolet,
31 visible light, or other electromagnetic waves; sound waves; odors; or other physical phenomena

1 which captures conditions existing on or about real property or an individual located on that
2 property.

3 VIII. "Imaging device" means a mechanical, digital, or electronic viewing device; still
4 camera; camcorder; motion picture camera; or any other instrument, equipment, or format capable
5 of recording, storing, or transmitting an image.

6 IX. "Individual" means a living human being.

7 X. "Information" means any evidence, images, sounds, or data gathered by a drone.

8 XI. "Law enforcement agency" means a lawfully established state, county, or municipal
9 agency that is responsible for the prevention and detection of crime, local government code
10 enforcement, and the enforcement of the criminal laws.

11 XII. "Law enforcement officer" means a duly sworn employee of a law enforcement agency
12 who is invested with the power of arrest or the detection of crime.

13 XIII. "Person" means individuals, partnerships, limited liability companies, corporations,
14 and any other organizations, including for-profit and not-for-profit entities, but excluding
15 government.

16 XIV. "Surveillance" means the willful act of tracking or following, while photographing,
17 taking images of, listening to, or making a recording of: (a) a recognizable individual or a group of
18 individuals, including their movements, activities or communications, or (b) motor vehicles
19 identifiable by their license plates. The term does not include such activities on real estate in which
20 a person has a legal interest.

21 422-D:2 Government Use of Drones Limited; Exceptions.

22 I. Except as provided in paragraph II:

23 (a) No government shall use a drone, or obtain, receive, use, or retain information
24 acquired by or through a drone, to engage in surveillance, to acquire evidence, or to enforce laws;

25 (b) No government shall use a drone equipped with an imaging device to record an
26 image of an identifiable individual on privately-owned real property in violation of such individual's
27 reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an
28 individual is presumed to have a reasonable expectation of privacy on privately-owned real property
29 if he or she (1) is within an enclosed structure or (2) is not observable by individuals located at
30 ground level in a public place where they have a legal right to be, regardless of whether he or she is
31 observable from the air; and

32 (c) No government shall operate a drone at a height of less than 250 feet over privately-
33 owned real property unless it has the consent of its owner.

34 II.(a) Notwithstanding the provisions of paragraph I, a government may use a drone, or
35 obtain, receive, use or retain information acquired by or through a drone, for law enforcement
36 purposes under the following conditions only:

37 (1) If surveillance is undertaken, with the prior consent of the person who is the
38 subject of surveillance and the owner or lessee of the property which is the subject of the

1 surveillance.

2 (2) If a government first obtains a search warrant signed by a judge and based on
3 probable cause or the use of a drone is pursuant to a legally-recognized exception to the warrant
4 requirement. A search warrant authorizing the use of a drone shall specify the period for which
5 operation of the drone is authorized, which period shall not exceed 10 days unless subsequently
6 renewed by a judge.

7 (3) If a government possesses reasonable suspicion that, under particular
8 circumstances, swift action is needed to prevent imminent harm to life or serious damage to
9 property, or to forestall the imminent escape of a suspect, or the destruction of evidence, or to assist
10 in locating missing, abducted or lost individuals, hunters or hikers, or to rescue persons in natural
11 disasters, injured persons or persons in need of medical assistance.

12 (4) To counter a high risk of a terrorist attack or incident by a specific individual or
13 organization which the United States Department of Homeland Security determines that credible
14 intelligence indicates that there is such a risk.

15 (5) To increase situational awareness in understanding the nature, scale, and scope
16 of an incident which has occurred and for planning and coordinating an effective and legal
17 response, provided the incident is limited geographically and in time.

18 (6) To support the tactical deployment of law enforcement personnel and equipment
19 in emergency situations.

20 (7) To document a specific crime scene, traffic crash scene or other major incident
21 scene, such as a disaster caused by natural or human activity, provided such documentation is
22 conducted in a geographically confined and time-limited manner.

23 (8) For purposes of training law enforcement officers or others in the proper, safe,
24 and legal use of drones.

25 (b) A government which uses a drone, or obtains, receives, uses or retains information
26 acquired by or through a drone, pursuant to paragraph II may do so only if (1) specifically
27 authorized by the chief law enforcement officer of a law enforcement agency, or a supervisor
28 designated by the chief law enforcement officer, (2) is not operated in an unsafe manner, and (3) is
29 not operated in violation of United States Federal Aviation Administration regulations.

30 (c) The use of a drone by a government under subparagraphs II(a)(4) shall be limited to
31 a period of 48 hours of its initial use after which a search warrant or other court order signed by a
32 judge shall be required. The use of a drone by a government under subparagraphs II(a)(5)-(8) shall
33 be limited to a period of 48 hours of its initial use after which reauthorization shall be required.

34 (d) Within 5 business days of the initiation of the use of a drone under subparagraph
35 II(a), the government shall report in writing the use of a drone to the attorney general who shall
36 annually post such reports on the department of justice website in a searchable format.

37 III. Unless the fact of a violation is being disputed, information obtained by a government
38 in violation of paragraphs I and II shall, within 12 hours after the discovery of the violation, be

1 permanently and irretrievably destroyed, shall not be transferred to another government or person,
2 shall not be admissible in any judicial or administrative proceeding and shall not be used to
3 establish reasonable suspicion or probable cause to believe that an offense has been committed.

4 IV. Images of identifiable individuals obtained by a government pursuant to paragraphs I
5 or II shall be blurred, deleted or otherwise de-identified as soon as practicable but in any case
6 within 30 days after being obtained unless such images may be evidence in a criminal investigation.

7 V. No government shall own, use, or exercise control over a drone that is equipped with any
8 kind of lethal or non-lethal weapon.

9 VI. A government that owns, uses, or exercises control over a drone that causes injury to a
10 person or a person's property shall be liable for such injury.

11 VII. A government that owns, uses, or exercises control over one or more drones shall
12 annually on July 1 submit a written or electronic report to the attorney general containing
13 information on the number of such drones, the number of times each such drone was used during
14 the prior year and, in general terms, the purpose of each such use. The attorney general shall
15 annually post such reports on the department of justice website in a searchable format.

16 422-D:3 Non-Government Use of Drones Limited; Exceptions.

17 I. No person shall use a drone to engage in automated surveillance.

18 II. No person shall use a drone to engage in surveillance for commercial purposes without
19 the prior consent of each affected person and each owner or possessor of affecting buildings or
20 structures or parts thereof. It shall not be a defense to a charge of violating this chapter that the
21 buildings or structures were not marked with a no-trespassing sign or similar notice.

22 III.(a) No person shall use a drone equipped with an imaging device to record or view an
23 image or listen to or record the sound of an identifiable individual on privately-owned real property
24 in which the person does not have a legally recognized interest in violation of such individual's
25 reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an
26 individual is presumed to have a reasonable expectation of privacy on privately-owned real property
27 if he or she:

28 (1) Is within an enclosed structure; or

29 (2) Is not observable by individuals located at ground level in a public place where
30 they have a legal right to be, regardless of whether he or she is observable from the air.

31 (b) This paragraph shall not apply to the unintentional recording or viewing of an
32 image, or to the unintentional listening to or recording the sound of, an individual.

33 IV. No person shall:

34 (a) Operate a drone within a horizontal distance of 500 feet or a vertical distance of 400
35 feet from critical infrastructure without the written consent of the owner of the critical
36 infrastructure;

37 (b) Allow a drone to make contact with critical infrastructure facility, including any
38 individual or object on the premises of or within the critical infrastructure; or

1 (c) Allow a drone to come within a distance of a critical infrastructure facility that is
2 close enough to interfere with the operations of or cause a disturbance to the facility or its
3 occupants.

4 V. No person shall own, use, or exercise control over a drone that is equipped with any kind
5 of lethal or nonlethal weapon. This prohibition shall not apply to a person who is a federal
6 government military contractor using or exercising control over a drone which is equipped with a
7 nonlethal weapon and which is flying over real property in which the person has a legal interest.

8 VI. Any person that owns, uses, or exercises control over a drone in this state that causes
9 injury to a person or a person's property shall be liable for the injury.

10 VII. No person shall use a drone to harass or stalk another person.

11 VIII. No person shall operate a drone at a height of less than 250 feet over privately-owned
12 real property unless the person has the consent of its owner.

13 422-D:4 Airport Prohibition. No government or person shall operate a drone within 5 miles of
14 any airport in this state in a manner that does not comply with relevant federal law and Federal
15 Aviation Administration regulations and guidelines in effect at the time.

16 422-D:5 Identification. Each owner of a drone shall identify the drone with the owner's name,
17 address and telephone number in permanent ink in a font size not less than 12 picas.

18 422-D:6 Federal Preemption. If federal law preempts any provision of this chapter, that
19 provision shall not apply.

20 422-D:7 Applicability. The provisions of this chapter shall not apply to the New Hampshire
21 national guard in the conduct of its official duties.

22 422-D:8 Construction. This chapter shall be construed to provide the greatest possible
23 protection of the privacy of the people of this state. Nothing in this chapter shall be construed to
24 impose liability in connection with news gathering activity.

25 422-D:9 Penalties.

26 I. A government employee or agent who knowingly violates RSA 422-D:2, other than the
27 reporting requirements in 422-D:2, II(c) and 422-D:2, VII, shall be guilty of a misdemeanor. A
28 government employee or agent who violates the reporting requirements in RSA 422-D:2, II(c) or
29 422-D:2, VII shall be guilty of a violation for a first offense and a misdemeanor for any subsequent
30 offense.

31 II. A government which violates RSA 422-D:2 may be subject to a civil penalty of up to
32 \$10,000 which shall be deposited in the general fund of the state.

33 III. A person who suffers damages or injury caused by a government's use of a drone
34 pursuant to this chapter may bring a civil action to recover actual damages which shall be limited to
35 medical expenses, treatment, and rehabilitation, property damage, permanent physical impairment,
36 court costs, and reasonable attorney's fees from the government. No claim for pain and suffering,
37 emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship,
38 services, or consortium, or other nonpecuniary losses shall be compensable under this chapter. This

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1 paragraph shall not be construed as a waiver of the sovereign immunity of the state.

2 IV. A person who violates RSA 422-D:3, I-VII shall be guilty of a misdemeanor.

3 V. Any person who suffers injury caused by a drone operated in violation of this chapter
4 shall be entitled to damages from the person who committed the violation of not less than \$1,000
5 and an award of reasonable attorney fees.

6 VI. In addition to any other remedies allowed by law, a person who willfully gains
7 unauthorized control over a drone shall be liable to the owner of the drone in an amount of not less
8 than \$1,000 and an award of reasonable attorney fees.

9 2 Effective Date. This act shall take effect July 1, 2018.

HB 97-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to the use of drones.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2018	FY 2019	FY 2020	FY 2021
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<i>Funding Source:</i>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input checked="" type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill contains penalties that may have an impact on the New Hampshire judicial and correctional systems. There is no method to determine how many charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on expenditures. However, the entities impacted have provided the potential costs associated with these penalties below.

Judicial Branch	FY 2018	FY 2019
Violation Level Offense	\$48	\$48
Class B Misdemeanor	\$49	\$50
Class A Misdemeanor	\$71	\$72
Circuit Court - Search Warrant Request	\$71	\$72
Superior Court - Search Warrant Request	\$274	\$279
Complex Civil Case	\$727	\$735
Appeals	Varies	Varies

It should be noted average case cost estimates for FY 2018 and FY 2019 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types. An unspecified misdemeanor can be either class A or class B, with the presumption being a class B misdemeanor.		
Judicial Council		
Public Defender Program	Has contract with State to provide services.	Has contract with State to provide services.
Contract Attorney – Misdemeanor	\$275/Case	\$275/Case*
Assigned Counsel – Misdemeanor	\$60/Hour up to \$1,400	\$60/Hour up to \$1,400
<p>It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. The majority of indigent cases (approximately 85%) are handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%).</p> <p><i>* The Council's budget request for the FY 2018-19 biennium includes an increase to \$300 per case for contract attorney misdemeanor cases.</i></p>		
NH Association of Counties		
County Prosecution Costs	Indeterminable	Indeterminable
Estimated Average Daily Cost of Incarcerating an Individual	\$85 to \$110	\$85 to \$110

Proposed RSA 422-D:22 would bar evidence illegally obtained by a government through the use of a drone from being admitted in a judicial proceeding. This provision would not add cases, but it would add time to a trial where the issue was raised and, possibly, could result in an appeal to the New Hampshire Supreme Court.

This bill would require a government entity that uses a drone to file a report with the Department of Justice, which would be required to annually post the reports in searchable format on its website. The bill imposes a civil penalty for any government that violates the provisions of the statute. Penalty revenue would be deposited in the general fund. The Department of Justice investigates and prosecutes criminal conduct by certain government officials and may become involved in investigations and prosecutions under this proposed statute. The Department cannot estimate how many such cases would arise, but it is anticipated that the majority of cases would be prosecuted by local and county prosecutors. The bill does not specify what agency has enforcement authority. If the Department of Justice is responsible and assuming a straightforward enforcement action without significant constitutional issues, it would likely take between 70 and 100 hours of an attorney's time. The Department has no basis upon which to estimate the number of potential enforcement actions. In addition, the Department of Justice would provide legal counsel to any state agency using or contemplating the use of a drone to ensure compliance with the statute. The Department expects this could be done within the current budget. In the event a state agency or state

employee is sued for a violation of the statute, or if an injury is caused by the state operation of a drone, the Department would have to defend that action. It is not possible to determine how many cases may be brought against a state agency or state employee, and therefore it is not possible to project how much time would be needed to defend alleged violations of the act.

The Department of Safety assumes state, county and local expenditures would increase by an indeterminable amount from investigating and prosecuting violations of the proposed statute.

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Departments of Justice and Safety, and New Hampshire Association of Counties

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Be it Enacted by the Senate and House of Representatives in General Court convened:

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2 chapter:

3 CHAPTER 422-D

4 DRONES

5 422-D:1 Definitions. In this chapter:

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7 II. "Automated surveillance" means surveillance employing a mechanical or electronic
8 device, computer or software, including but not limited to facial recognition technology, that
9 functions continuously without continuous input from a human operator.

10 III. "Commercial purpose" means to exchange for money, goods or services or to exchange
11 with the intention of directly or indirectly benefiting any business or other undertaking intended
12 for profit.

13 IV.(a) "Critical infrastructure" means a county, city, or town jail or detention facility, police
14 station or fire station; any prison, facility, or institution under the control of the department of
15 corrections; and any additional structure designated by the Federal Aviation Administration as
16 critical infrastructure.

17 (b) The department of transportation, bureau of aeronautics, shall apply to the Federal
18 Aviation Administration to request the structures specified in subparagraph (a) to be designated as
19 critical infrastructures.

20 V. "Drone" means a powered, aerial vehicle, excluding a geosynchronous satellite, that:

- 21 (a) Does not carry a human operator;
- 22 (b) Uses aerodynamic forces to provide vehicle lift;
- 23 (c) Can fly autonomously or be piloted remotely; and
- 24 (d) May be expendable or recoverable.

25 VI. "Government" means the federal government, the state government and any political
26 subdivisions thereof, and state and municipal agencies and departments, including employees and
27 agents.

28 VII. "Image" means a record, including a photograph, of thermal, infrared, ultraviolet,
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30 which captures conditions existing on or about real property or an individual located on that
31 property.

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1 VIII. "Imaging device" means a mechanical, digital, or electronic viewing device; still
2 camera; camcorder; motion picture camera; or any other instrument, equipment, or format capable
3 of recording, storing, or transmitting an image.

4 IX. "Individual" means a living human being.

5 X. "Information" means any evidence, images, sounds, or data gathered by a drone.

6 XI. "Law enforcement agency" means a lawfully established state, county, or municipal
7 agency that is responsible for the prevention and detection of crime, local government code
8 enforcement, and the enforcement of the criminal laws.

9 XII. "Law enforcement officer" means a duly sworn employee of a law enforcement agency
10 who is invested with the power of arrest or the detection of crime.

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13 government.

14 XIV. "Surveillance" means the willful act of tracking or following, while photographing,
15 taking images of, listening to, or making a recording of: (a) a recognizable individual or a group of
16 individuals, including their movements, activities or communications, or (b) motor vehicles
17 identifiable by their license plates. The term does not include such activities on real estate in which
18 a person has a legal interest.

19 422-D:2 Government Use of Drones Limited; Exceptions.

20 I. Except as provided in paragraph II or III:

21 (a) No government shall use a drone, or obtain, receive, use, or retain information
22 acquired by or through a drone, to engage in surveillance, to acquire evidence, or to enforce laws;
23 and

24 (b) No government shall use a drone equipped with an imaging device to record an
25 image of an identifiable individual on privately-owned real property in violation of such individual's
26 reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an
27 individual is presumed to have a reasonable expectation of privacy on privately-owned real property
28 if he or she (1) is within an enclosed structure or (2) is not observable by individuals located at
29 ground level in a public place where they have a legal right to be, regardless of whether he or she is
30 observable from the air.

31 II.(a) Notwithstanding the provisions of paragraph I, a government may use a drone, or
32 obtain, receive, use or retain information acquired by or through a drone, for law enforcement
33 purposes under the following conditions only:

34 (1) If surveillance is undertaken, with the prior consent of the person who is the
35 subject of surveillance and the owner or lessee of the property which is the subject of the
36 surveillance.

37 (2) If a government first obtains a search warrant signed by a judge and based on
38 probable cause or the use of a drone is pursuant to a legally-recognized exception to the warrant

1 requirement. A search warrant authorizing the use of a drone shall specify the period for which
2 operation of the drone is authorized, which period shall not exceed 10 days unless subsequently
3 renewed by a judge.

4 (3) If a government possesses reasonable suspicion that, under particular
5 circumstances, swift action is needed to prevent imminent harm to life or serious damage to
6 property, or to forestall the imminent escape of a suspect, or the destruction of evidence, or to assist
7 in locating missing, abducted or lost individuals, hunters or hikers, or to rescue persons in natural
8 disasters, injured persons or persons in need of medical assistance.

9 (4) To counter a high risk of a terrorist attack or incident by a specific individual or
10 organization which the United States Department of Homeland Security determines that credible
11 intelligence indicates that there is such a risk.

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13 of an incident which has occurred and for planning and coordinating an effective and legal
14 response, provided the incident is limited geographically and in time.

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16 in emergency situations.

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20 (8) For purposes of training law enforcement officers or others in the proper, safe,
21 and legal use of drones.

22 (b) A government which uses a drone, or obtains, receives, uses or retains information
23 acquired by or through a drone, pursuant to paragraph II may do so only if (1) specifically
24 authorized by the chief law enforcement officer of a law enforcement agency, or a supervisor
25 designated by the chief law enforcement officer, (2) is not operated in an unsafe manner, and (3) is
26 not operated in violation of United States Federal Aviation Administration regulations.

27 (c) The use of a drone by a government under subparagraphs II(a)(4) shall be limited to
28 a period of 48 hours of its initial use after which a search warrant or other court order signed by a
29 judge shall be required. The use of a drone by a government under subparagraphs II(a)(5)-(8) shall
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32 II(a), the government shall report in writing the use of a drone to the attorney general who shall
33 annually post such reports on the department of justice website in a searchable format.

34 III. Notwithstanding the provisions of paragraph I, a government may use a drone, or
35 obtain, receive, use, or retain information acquired by or through a drone for non-law enforcement
36 purposes if, in an emergency, a government determines that, under particular circumstances, swift
37 action is needed to prevent imminent harm to life or serious damage to property, or to assist in
38 locating missing, abducted, or lost individuals, hunters, or hikers, or to rescue persons in natural

1 disasters, injured persons, or persons in need of medical assistance.

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3 violation of paragraphs I and II shall, within 12 hours after the discovery of the violation, be
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21 II. No person shall use a drone to engage in surveillance for commercial purposes without
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23 structures or parts thereof. It shall not be a defense to a charge of violating this chapter that the
24 buildings or structures were not marked with a no-trespassing sign or similar notice.

25 III.(a) No person shall use a drone equipped with an imaging device to record or view an
26 image or listen to or record the sound of an identifiable individual on privately-owned real property
27 in which the person does not have a legally recognized interest in violation of such individual's
28 reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an
29 individual is presumed to have a reasonable expectation of privacy on privately-owned real property
30 if he or she:

31 (1) Is within an enclosed structure; or

32 (2) Is not observable by individuals located at ground level in a public place where
33 they have a legal right to be, regardless of whether he or she is observable from the air.

34 (b) This paragraph shall not apply to the unintentional recording or viewing of an
35 image, or to the unintentional listening to or recording the sound of, an individual.

36 IV. No person shall:

37 (a) Operate a drone over critical infrastructure without the written consent of the
38 owner of the critical infrastructure;

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1 (b) Allow a drone to make contact with critical infrastructure facility, including any
2 individual or object on the premises of or within the critical infrastructure; or

3 (c) Allow a drone to come within a distance of a critical infrastructure facility that is
4 close enough to interfere with the operations of or cause a disturbance to the facility or its
5 occupants.

6 V. No person shall own, use, or exercise control over a drone that is equipped with any kind
7 of lethal or nonlethal weapon. This prohibition shall not apply to a person who is a federal
8 government military contractor using or exercising control over a drone which is equipped with a
9 nonlethal weapon and which is flying over real property in which the person has a legal interest.

10 VI. Any person that owns, uses, or exercises control over a drone in this state that causes
11 injury to a person or a person's property shall be liable for the injury.

12 VII. No person shall use a drone to harass or stalk another person.

13 VIII. Paragraphs I, II, and III of this section shall not apply to a person engaged in a
14 business or profession licensed by the state, or by an agent, employee, or contractor of such person,
15 if the drone is used solely to perform reasonable tasks within the scope of practice or activities
16 permitted under such person's license, and provided that the drone shall not be used to obtain
17 information about the identity, habits, conduct, movements, whereabouts, affiliations, associations,
18 transactions, reputation, or character of any individual.

19 422-D:4 Airport Prohibition. No government or person shall operate a drone within 5 miles of
20 any airport in this state in a manner that does not comply with relevant federal law and Federal
21 Aviation Administration regulations and guidelines in effect at the time.

22 422-D:5 Identification. Except for the drone's original equipment manufacturer, each owner of
23 a drone shall identify the drone with the owner's telephone number in permanent ink or other
24 indelible manner of identification. If space allows, the owner's name shall also be included.
25 Identification shall be readily accessible and legible upon close visual inspection.

26 422-D:6 Federal Preemption. If federal law preempts any provision of this chapter, that
27 provision shall not apply.

28 422-D:7 Applicability. The provisions of this chapter shall not apply to the New Hampshire
29 national guard in the conduct of its official duties.

30 422-D:8 Construction. This chapter shall be construed to provide the greatest possible
31 protection of the privacy of the people of this state. Nothing in this chapter shall be construed to
32 impose liability in connection with news gathering activity.

33 422-D:9 Penalties.

34 I. A government employee or agent who knowingly violates RSA 422-D:2, except for the
35 reporting requirements in 422-D:2, II(c) and 422-D:2, VIII, shall be guilty of a misdemeanor. A
36 government employee or agent who violates the reporting requirements in RSA 422-D:2, II(c) or
37 422-D:2, VIII shall be guilty of a violation for a first offense and a misdemeanor for any subsequent
38 offense.

HB 97-FN - AS AMENDED BY THE HOUSE

- Page 6 -

1 II. A government which violates RSA 422-D:2 may be subject to a civil penalty of up to
2 \$10,000 which shall be deposited in the general fund of the state.

3 III. A person who suffers damages or injury caused by a government's use of a drone
4 pursuant to this chapter may bring a civil action to recover actual damages which shall be limited to
5 medical expenses, treatment, and rehabilitation, property damage, permanent physical impairment,
6 court costs, and reasonable attorney's fees from the government. No claim for pain and suffering,
7 emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship,
8 services, or consortium, or other nonpecuniary losses shall be compensable under this chapter. This
9 paragraph shall not be construed as a waiver of the sovereign immunity of the state.

10 IV. A person who violates RSA 422-D:3, I-VII shall be guilty of a misdemeanor.

11 V. Any person who suffers injury caused by a drone operated in violation of this chapter
12 shall be entitled to damages from the person who committed the violation of not less than \$1,000
13 and an award of reasonable attorney fees.

14 VI. In addition to any other remedies allowed by law, a person who willfully gains
15 unauthorized control over a drone shall be liable to the owner of the drone in an amount of not less
16 than \$1,000 and an award of reasonable attorney fees.

17 2 Effective Date. This act shall take effect July 1, 2018.

HB 97-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2017-0296h)

AN ACT relative to the use of drones.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2018	FY 2019	FY 2020	FY 2021
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input checked="" type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill contains penalties that may have an impact on the New Hampshire judicial and correctional systems. There is no method to determine how many charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on expenditures. However, the entities impacted have provided the potential costs associated with these penalties below.

Judicial Branch	FY 2018	FY 2019
Violation Level Offense	\$48	\$48
Class B Misdemeanor	\$49	\$50
Class A Misdemeanor	\$71	\$72
Circuit Court - Search Warrant Request	\$71	\$72
Superior Court - Search Warrant Request	\$274	\$279
Complex Civil Case	\$727	\$735
Appeals	Varies	Varies

It should be noted average case cost estimates for FY 2018 and FY 2019 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types. An unspecified misdemeanor can be either class A or class B, with the presumption being a class B misdemeanor.		
Judicial Council		
Public Defender Program	Has contract with State to provide services.	Has contract with State to provide services.
Contract Attorney – Misdemeanor	\$275/Case	\$275/Case*
Assigned Counsel – Misdemeanor	\$60/Hour up to \$1,400	\$60/Hour up to \$1,400
It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. The majority of indigent cases (approximately 85%) are handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%).		
* The Council's budget request for the FY 2018-19 biennium includes an increase to \$300 per case for contract attorney misdemeanor cases.		
NH Association of Counties		
County Prosecution Costs	Indeterminable	Indeterminable
Estimated Average Daily Cost of Incarcerating an Individual	\$85 to \$110	\$85 to \$110

Proposed RSA 422-D:22 would bar evidence illegally obtained by a government through the use of a drone from being admitted in a judicial proceeding. This provision would not add cases, but it would add time to a trial where the issue was raised and, possibly, could result in an appeal to the New Hampshire Supreme Court.

This bill would require a government entity that uses a drone to file a report with the Department of Justice, which would be required to annually post the reports in searchable format on its website. The bill imposes a civil penalty for any government that violates the provisions of the statute. Penalty revenue would be deposited in the general fund. The Department of Justice investigates and prosecutes criminal conduct by certain government officials and may become involved in investigations and prosecutions under this proposed statute. The Department cannot estimate how many such cases would arise, but it is anticipated that the majority of cases would be prosecuted by local and county prosecutors. The bill does not specify what agency has enforcement authority. If the Department of Justice is responsible and assuming a straightforward enforcement action without significant constitutional issues, it would likely take between 70 and 100 hours of an attorney's time. The Department has no basis upon which to estimate the number of potential enforcement actions. In addition, the Department of Justice would provide legal counsel to any state agency using or contemplating the use of a drone to ensure compliance with the statute. The Department expects this could be done within the current budget. In the event a state agency or state

employee is sued for a violation of the statute, or if an injury is caused by the state operation of a drone, the Department would have to defend that action. It is not possible to determine how many cases may be brought against a state agency or state employee, and therefore it is not possible to project how much time would be needed to defend alleged violations of the act.

The Department of Safety assumes state, county and local expenditures would increase by an indeterminable amount from investigating and prosecuting violations of the proposed statute.

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Departments of Justice and Safety, and New Hampshire Association of Counties

Amendments

Amendment to HB 97-FN

1 Amend RSA 422-D:1, IV as inserted by section 1 of the bill by replacing it with the following:

2

3 IV.(a) "Critical infrastructure" means a county, city, or town jail or detention facility, police
4 station or fire station; any prison, facility, or institution under the control of the department of
5 corrections; and any additional structure designated by the Federal Aviation Administration as
6 critical infrastructure.

7 (b) The department of transportation, bureau of aeronautics, shall apply to the Federal
8 Aviation Administration to request the structures specified in subparagraph (a) to be designated as
9 critical infrastructures.

10

11 Amend RSA 422-D:2, I as inserted by section 1 of the bill by replacing it with the following:

12

13 I. Except as provided in paragraph II or III:

14 (a) No government shall use a drone, or obtain, receive, use, or retain information
15 acquired by or through a drone, to engage in surveillance, to acquire evidence, or to enforce laws;
16 and

17 (b) No government shall use a drone equipped with an imaging device to record an
18 image of an identifiable individual on privately-owned real property in violation of such individual's
19 reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an
20 individual is presumed to have a reasonable expectation of privacy on privately-owned real property
21 if he or she (1) is within an enclosed structure or (2) is not observable by individuals located at
22 ground level in a public place where they have a legal right to be, regardless of whether he or she is
23 observable from the air.

24

25 Amend RSA 422-D:2 as inserted by section 1 of the bill by inserting after paragraph II the following
26 new paragraph and renumbering the original paragraphs III-VII to read as IV-VIII, respectively:

27

28 III. Notwithstanding the provisions of paragraph I, a government may use a drone, or
29 obtain, receive, use, or retain information acquired by or through a drone for non-law enforcement
30 purposes if, in an emergency, a government determines that, under particular circumstances, swift
31 action is needed to prevent imminent harm to life or serious damage to property, or to assist in
32 locating missing, abducted, or lost individuals, hunters, or hikers, or to rescue persons in natural

Amendment to HB 97-FN

- Page 2 -

1 disasters, injured persons, or persons in need of medical assistance.

2
3 Amend RSA 422-D:3, IV(a) as inserted by section 1 of the bill by replacing it with the following:

4
5 (a) Operate a drone over critical infrastructure without the written consent of the
6 owner of the critical infrastructure;

7
8 Amend RSA 422-D:3, VIII as inserted by section 1 of the bill by replacing it with the following:

9
10 VIII. Paragraphs I, II, and III of this section shall not apply to a person engaged in a
11 business or profession licensed by the state, or by an agent, employee, or contractor of such person,
12 if the drone is used solely to perform reasonable tasks within the scope of practice or activities
13 permitted under such person's license, and provided that the drone shall not be used to obtain
14 information about the identity, habits, conduct, movements, whereabouts, affiliations, associations,
15 transactions, reputation, or character of any individual.

16
17 Amend RSA 422-D:5 as inserted by section 1 of the bill by replacing it with the following:

18
19 422-D:5 Identification. Except for the drone's original equipment manufacturer, each owner of
20 a drone shall identify the drone with the owner's telephone number in permanent ink or other
21 indelible manner of identification. If space allows, the owner's name shall also be included.
22 Identification shall be readily accessible and legible upon close visual inspection.

23
24 Amend RSA 422-D:9, I as inserted by section 1 of the bill by replacing it with the following:

25
26 I. A government employee or agent who knowingly violates RSA 422-D:2, except for the
27 reporting requirements in 422-D:2, II(c) and 422-D:2, VIII, shall be guilty of a misdemeanor. A
28 government employee or agent who violates the reporting requirements in RSA 422-D:2, II(c) or
29 422-D:2, VIII shall be guilty of a violation for a first offense and a misdemeanor for any subsequent
30 offense.

Committee Minutes

SENATE CALENDAR NOTICE
Executive Departments and Administration

- ✓ Sen Sharon Carson, Chair
- ✓ Sen John Reagan, Vice Chair
- ✓ Sen William Gannon, Member
- ✓ Sen Donna Soucy, Member
- Sen Jeff Woodburn, Member

*9:24 AM
9:32 AM
open 9:00 AM
close: 10:02 AM
9:46*

Date: April 4, 2017

HEARINGS

Wednesday

04/12/2017

(Day)

(Date)

Executive Departments and Administration

LOB 101

9:00 a.m.

(Name of Committee)

(Place)

(Time)

9:00 a.m.

HB 97-FN

relative to the use of drones.

9:45 a.m.

HB 513

authorizing the state veterans' advisory committee to accept gifts, grants, and donations for payment of the committee's costs.

10:00 a.m.

HB 561-FN

relative to contributions by retirement system employers for certain full-time positions changed to part-time or interim employment and relative to enforcement of provisions concerning retired members working part-time after retirement.

10:30 a.m.

HB 624

relative to group II vested deferred retirements, the age of dependents in the retiree health plan, and retired judges' participation in the retiree health plan.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 97-FN

Rep. Kurk

Rep. Berch

Rep. Cushing

HB 513

Rep. Baldasaro

Rep. Burt

Rep. R. Ober

Rep. L. Ober

Rep. Leishman

Rep. Theberge

Rep. Weyler

Sen. Carson

Sen. French
HB 561-FN
Rep. Kurk
Sen. Giuda
HB 624
Rep. Kurk

Sen. Avard
Rep. L. Turcotte

Rep. Ohm

Rep. Azarian

Deb Chroniak 271-1403

Sharon M Carson
Chairman

**Senate Executive Departments and Administration
Committee**
Deb Chroniak 271-1403

HB 97-FN, relative to the use of drones.

Hearing Date: April 12, 2017

Time Opened: 9:00 a.m. Time Closed: 10:02 a.m.

Members of the Committee Present: Senators Carson, Reagan, Gannon and Soucy

Members of the Committee Absent: Senator Woodburn

Bill Analysis: This bill regulates the use of drones by government agencies and individuals. This bill establishes criminal penalties and civil remedies for violations of the law.

Sponsors:

Rep. Kurk

Rep. Berch

Rep. Cushing

Who supports the bill: Representative Neal Kurk, Hillsborough District 2; Representative Carol McGuire; Representative Renny Cushing, Rockingham 21; Representative Campion, Grafton 12

Who opposes the bill: Darryl W. Perry, Liberty Lobby, LLC; Christopher Waid, Keene, New Hampshire; Jim Cloutier, Red Dog Aerial Media, Auburn, New Hampshire; Carol Cloutier, Red Dog Aerial Media, Auburn, New Hampshire; Thomas Colantuono, Bianco, Brimberg Aerospace; Henry Veilleux, Consumer Technology Association; Jim Hatem, State Farm Insurance; Matt Mincieli, Northeast Regional Director for TechNet; Bob Nash, New Hampshire Association of Domestic Insurers; George Roussos, New Hampshire Association of Domestic Insurance Companies and American Insurance Association; Chris Brimberg, Chairman CEO of Brimberg Aerospace

Who is neutral to the bill: Anna Brown, Citizens Count New Hampshire; Ian Freeman, Co-Chairs New Hampshire Liberty Party

Summary of testimony presented in support:

Representative Neal Kurk

- Similar to a bill presented last session with two to three significant changes.
- HB 97-FN is divided into two parts, (1) places limitations on how government can use drones and, (2) places limitations on how individuals and businesses can use

drones.

- Government section has not significantly changed.
- A change which was made is on Page 1 line 13, definition of critical infrastructure, which has significantly changed. This change was requested by the Bureau of Aeronautics. The changes comply with the Federal Aviation Administration (FAA) procedures.
- Individual/business use of drones section has changed in two ways: Page 4, lines 34 and 35, is a specific exemption for unintentional recording or viewing of an individual. The bill as introduced did not include this exception for an unintended violation. This section was put in because of concerns from real estate people.
- Significant change is on Page 5, lines 13 through 18, exempts from three sections of the bill a variety of individual and business uses. Exempted sections are as follows: Page 4, lines 20 through 35 states you cannot use a drone for tracking of a person; tracking or following without prior consent; and no picture taken with a drone of a person on their own property where it is expected to be private.
- These specific sections are not applicable under Page 5, lines 13 through 18.
- Two organizations did not agree with this section, State Farm and Comcast.

Representative Carol McGuire

- The House Amendment was to alleviate concerns about conflicts with federal law. The Department of Aeronautics will enforce the critical infrastructure rules, as they are doing presently. The other part of the amendment dealt with the balance of privacy of individuals with business use of drones. Main restriction is no one can operate a weaponized drone.

Representative Renny Cushing

- HB 97-FN is an attempt to recognize changes in technology.
- Virtual trespass with advances in technology.
- Representative Kurk has taken the traditional respect against trespass and crafted legislation, which will adapt to changing technology.
- Prisons are a critical infrastructure and by giving the state the power to regulate would enhance public safety.

Senator Soucy asked Representative Cushing if he could address the issue of current privacy laws and creating a separate class, and why this is or is not necessary, and why the existing criminal statutes were not amended. Representative Cushing said there are current laws against trespass. Change in technology requires us to fine tune legislation. The bill is looking to take the new technology that did not exist and adapt legislation for that. He does not want to see government outsourcing to the private sector, violations of the privacy of individuals.

- Believes the bill strikes a good balance.

Senator Carson read Criminal Code Title LXII, Peace and Related Offenses (presently in statute). "A person is guilty of a class A misdemeanor if such person unlawfully and without the consent of the persons entitled to privacy therein, installs or uses: (a) any device for the purpose of observing, photographing, recording, amplifying, broadcasting..... (b) In any private place, any device for the purpose of observing, photographing, recording, amplifying or broadcasting, or in any way

transmitting images or sounds in such place; or (c) Outside a private place, any device for the purpose of hearing, recording, amplifying, broadcasting, observing, or in any way transmitting images.....” Read Section II “private place”. Referred to Section IV. Read (see bill file for complete reading). Question was why we need to recreate statute just for drones when it appears a person’s privacy is already protected under existing statutes (644:9). Representative Cushing had not refreshed his memory on that. Representative Cushing will read the statute and respond. Senator Carson said his response will be included in HB 97-FN bill file.

Summary of testimony presented in opposition:

Jim Cloutier (testimony provided)

- Small business owner, a UAV drone’s service company.
- Within the entire bill there are 32 individual items which directly relate to the use of the UAV. Broken down into six categories; evidence and information; privacy; operational (FAA); records retention; reporting and disclosure; and, miscellaneous (weapons, training and liability). The top three categories (evidence and information gathering; privacy, and operational (FAA) are addressed by the fourth amendment, current New Hampshire law, or both. The top three categories make up 75% of the bill.
- Lots of redundancy which creates confusion and does not resolve specific problems.
- Regarding the privacy issue, HB 97-FN tries to regulate technology by trying to protect against criminal intent.
- Need proper education for law enforcement regarding the use and regulations of drones.
- He believes this will be a \$127 billion dollar world-wide business by 2020.

Henry Veilleux (testimony provided)

- Consumer Technology Association represents 2200 companies, 80% small businesses and start-up companies.
- Working with FAA on regulations on drones.
- Working with “Know Before You fly” campaign.
- When a drone is purchased the first thing an owner needs to do is to register with the FAA.
- Consumer Technology has issues with this bill. A number of things in this bill are preempted by federal law and the FAA. Other provisions in this bill are covered by current law. One section deals with prohibiting drones over critical infrastructure(s) (airports, prisons, etc.)
- Last summer Congress passed Public Law 114-190 and Section 2209, Applications for Designation describes the process where the FAA will put together rules for critical infrastructure and will show where the limitations are for the operation of drones. The FAA is the clearinghouse.
- FAA regulates airspace - makes sense for them to regulate this area.
- Representative Kurk’s exemptions are to make sure people’s privacy is protected. The argument is current laws presently address this.
- Chapter 644 Section 9 deals in privacy. This is the appropriate place for

privacy issues and not developing something technology specific. There are statutes on harassment and stalking.

Chris Brimberg (opposed) Attorney Tom Colantuono

- His customers are law enforcement, fire, police, government agencies, loss of utilities, and Department of Transportation.
- His services are called a wet or dry lease; he goes along on a wet lease or a dry lease where the client decides to direct the device itself.
- Looking for legal ramification from legislators in case a liability happens as a contractor.
- He is a pilot and pointed out that the FAA has made clear that airspace above (NSA) is theirs.
- The FAA is in the process of taking the 55 pound weight limit and change that to any weight above that will require a license.
- He is looking for a Good Samaritan law or similar from the legislators.
- His company gives someone the tools to do their job.

Attorney Thomas Colantuono

- Private, non-governmental use of drones is subject to criminal penalties of a misdemeanor. If a government agency hires his client to use his client's drone, are they protected? Not clear in the law and there is not a dovetail that protects the private owner of the drone when it is being hired by a government agency.
- Wants to see this protection.

Senator Carson asked if there should be provisions preventing an individual from following the police. There are many people out there concerned for their privacy, what about the individual who follows the police with a drone. Mr. Brimberg stated his company has provisions for pro bono work. If there were to be a police problem he would police them. He would aid the agency.

Matt Mincieli (testimony provided)

- Issue worked on last year and across the country.
- A large issue for them as a technology industry.
- **Wants to see the commercial "safe harbor" exemption put in by the Senate last session placed back into this bill if this bill is to move forward.**
- Potential drone regulation include government rules; hobbyist use, which the FAA places regulations on and where there are presently privacy protections in law; and, commercial bucket, which many states do not regulate the use of drones on. If NH tried to regulate the commercial drones it would impact the industry.
- FAA regulates many parts of drone use and there are many restrictions on companies' use of drones. They have not seen abuse in commercial use of drones.
- Respectfully asks to think about where you want to go with regulating drones; think about what the FAA has done.

Ian Freeman

- Do not need government to create extra rules to protect privacy. It is an individual's responsibility to protect their privacy.
- If he is allowed to be in public it does not matter if you have the camera in your

hands or attached to a drone.

- If you want privacy, there are ways to secure privacy.
- Big concern with commercial purposes because they would not be allowed to use a drone for surveillance on their own property.
- Agrees with the intentions of restricting governments use of drones, but it also restricts the private individual.

Darryl Perry

- Bill should only apply to governments.
- Strike everything if it is not for 22-D:1, 2, or 9.
- Already federal regulations on private use of drones; this goes a lot further than the federal regulations.
- Pass this only if it applies to governments; not private individuals.
- If the intent is to pass this legislation, it should only apply to government; everything regarding individuals should be taken out.

Christopher Wade

- In regard to police and the use of drones, police are already under extreme public scrutiny.
- There are no privacy rights when in the public.

George Roussos

- Has clients using drones currently and will use more in the future.
- Great new technology.
- Companies do jobs more efficiently.
- Address insurance claims more promptly.
- Technology will be increasingly useful.
- Concern is this bill will inhibit the expanded use of this technology.
- Drones' applications are growing. They are being used for the viewing of commercial structures, either for writing a policy or paying a claim, or properties that are hard to get to.
- If this bill passes it will create a problem.
- This legislation creates criminal penalties for a violation, misdemeanor penalties.
- Clients, when deciding whether to engage in a certain activity may not do so because of the risk of facing criminal prosecution.
- Specific issues with the bill are, first, its attempt to create a commercial exemption (Page 5, 422-D:3 Paragraph 8, line 13) is a recognition that commercial uses are proper, but the bill goes too far in restricting them. It permits a person engaged in business or professional activity licensed by the state to do certain things. **A technical objection** that prevents a whole segment of insurance companies that are not licensed (known as approved surplus lines companies) to engage in drone activity.
- Prohibition in above lines (Page 5, 422-D:3) against surveillance, tried to change on the House-side with no success.
- Insurance companies, for purposes of fraud investigations, worker's

compensations, etc., it is common practice to have someone conduct a surveillance to view activities of a person, possibly filming them lifting a garage door. This minimizes fraud in insurance claims. **Those activities would be prohibited under this bill.**

- Drones should not have special treatment.
- This bill does not serve any necessary purpose.

Testimony provided in neutral position:

Anna Brown (testimony provided)

- Organization takes no position – Non-partisan, non-profit organization.
- They inform citizens regarding legislation and they have the opportunity to share their opinions on legislation.
- March 18th asked community about drones being prohibited from flying or taking pictures over private property without permission.
- 450 residents participated in the discussion.
- 84% support requiring permission for drones.

Future Action: Pending

dac
Date Hearing Report completed: April 13, 2017
[Report: HB 97-F]

Speakers

SENATE EXECUTIVE DEPARTMENTS AND ADMINISTRATION COMMITTEE

Date: April 12, 2017 Time: 9:00 a.m. Public Hearing on HB 97-FN

HB 97-FN – An Act relative to the use of drones.

Please check box(es) that apply:

SPEAKING FAVOR	OPPOSED	NAME (Please print)	REPRESENTING
<input checked="" type="checkbox"/> AAAA	<input type="checkbox"/>	<input checked="" type="checkbox"/> Daryl W Perry	Liberty Lobby LLC
<input checked="" type="checkbox"/> AAAA	<input type="checkbox"/>	<input checked="" type="checkbox"/> Christopher Waid	
<input checked="" type="checkbox"/> AAAA	<input type="checkbox"/>	<input type="checkbox"/> Anna Brown	Citizens Court NH
<input checked="" type="checkbox"/> AAAA	<input type="checkbox"/>	<input checked="" type="checkbox"/> Jim Cloutier	Red Dog Aerial Media
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> CAROL Cloutier	Red Dog Aerial Media
<input checked="" type="checkbox"/> AAAA	<input type="checkbox"/>	<input checked="" type="checkbox"/> Henry Veilleux	Consumer Technology Assoc.
<input checked="" type="checkbox"/> AAAA	<input type="checkbox"/>	<input type="checkbox"/> Chris Bulmbrey	Bulmbrey Aerospace
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Rep Cannon	Grafton 12
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Jim Hatem	State Farm Ins.
<input checked="" type="checkbox"/> AAAA <input checked="" type="checkbox"/> 2	<input type="checkbox"/>	<input type="checkbox"/> Rep Carol M ^c Guire	
<input checked="" type="checkbox"/> AAAA	<input type="checkbox"/>	<input checked="" type="checkbox"/> MATT MINCIEL	TECHNET
<input checked="" type="checkbox"/> AAAA	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> Neal Kurik	
<input checked="" type="checkbox"/> AAAA	<input type="checkbox"/>	<input type="checkbox"/> Ian Freeman	NH Liberty Party
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> BOB NASH	NH ASSN OF DOMESTIC INSURERS
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Testimony

CITIZEN VOICESSM:

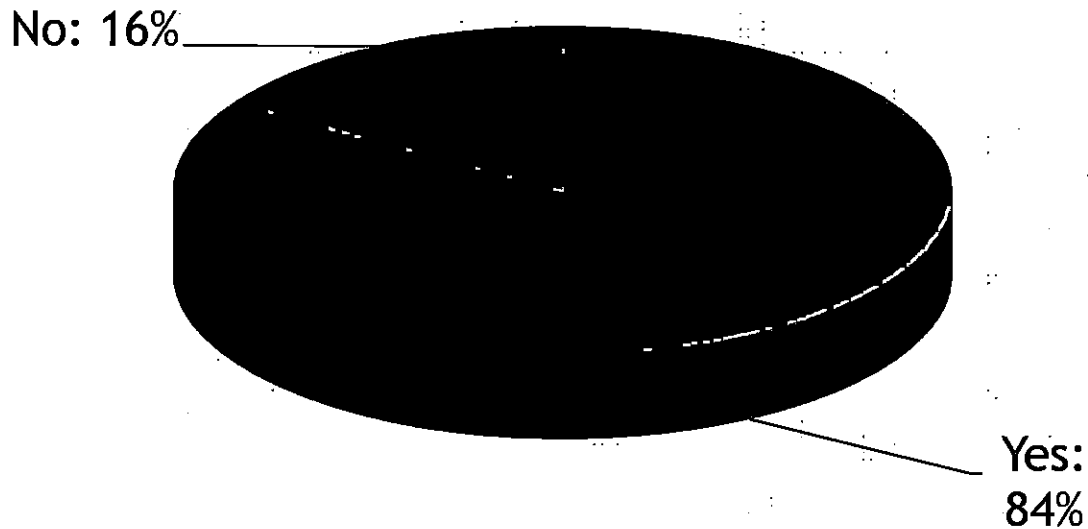
Strong majority favor banning drones over private property (458 participants)



HB 97 would institute a series of rules governing the use of drones. For non-government drone users, the bill would ban flying over private property at a height lower than 250 feet without permission, and establish penalties for using a drone for surveillance purposes or to photograph or record individuals who have a reasonable expectation of privacy. On March 18, Citizens Count, NH's Live Free or Die Alliance decided to put the issue to its Facebook members, posting the question, "Should drones be prohibited from flying or taking pictures over private property without permission?"

“Should drones be prohibited from flying or taking pictures over private property without permission?”

Results: Yes or No Respondents



Participation: 458 participants gave 690 responses

A total of 94% of those participating gave a 'yes or no' response to the question. The remaining 6% of participants engaged in the discussion but did not give a 'yes or no' response. In total, 458 individuals from New Hampshire contributed a total of 690 responses or reactions to this question.

[Note: Citizens Count NH also received additional comments from 90 individuals from outside New Hampshire.]

What Participants Said:

Yes: A strong majority, at 84% of 'yes or no' respondents, were in favor of prohibiting drones from flying over private property.

- “No one should be able to infringe on anyone else's right to privacy. I personally think we should be allowed to shoot them down if found hovering over private property.”
- “Yes. It would be an invasion of privacy, like a neighbor watching you sunbathe through, or over, the fence.”
- “When you own real estate, you own the air above it as well. If I could hang a no trespassing sign on the air, I would. Since I cannot, the one at the entrance to my driveway should suffice.”

No: The minority of 'yes or no' respondents, at 16%, were opposed to prohibiting drones from flying over private property.

- “Laws are already in place prohibiting flight too low to the ground when flying over private property. No need for any extra regulation.”
- “No... if you are going to limit that then cameras and smart phones should get the same limits because they can do the same thing. Cameras are far superior than any consumer drone with quality, zoom, and ability to hide them from view.”
- “The sky is not anyone's property.”

Other: As noted above, 6% of those participating did not give a 'yes or no' response, instead addressing their comments to related questions and issues. These included:

- Clarifying current law: “The general rule is the ground below and the sky above are your property. However there are usually state imposed restrictions, easements, etc.”
- Alternative suggestions: “Drones should be able to 'pass through' private airspace, but not hover.”
- Parallels: “Google Earth takes pictures all day long.”

**Editor selection of actual participant quotes.*

Citizens Count NHSM

Live Free or Die Alliance

ABOUT CITIZENS COUNT, NH'S LIVE FREE OR DIE ALLIANCE

Citizens Count, NH's Live Free or Die Alliance is a nonpartisan nonprofit organization with a mission of making citizen engagement easier by providing objective information about issues and candidates, promoting the civil exchange of opinions in a variety of forums, and connecting citizens with their elected officials. The organization does not take a position on issues, nor does it endorse candidates or elected officials. This report is presented only as a record of citizen testimony on this question. To learn more, visit CitizensCount.org.

CONTACT

If you have questions or suggestions related to the materials in this report, please contact:

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APPENDIX A: FREQUENTLY ASKED QUESTIONS ABOUT CITIZEN VOICESSM

Q) What is Citizen VoicesSM?

A) Citizen VoicesSM is an initiative of Citizens Count, NH's Live Free or Die Alliance, a nonpartisan nonprofit with a mission of making citizen engagement easier. Citizen VoicesSM are summaries of public policy discussions that take place on Citizens Count NH's Facebook page.

Between work, personal, and family obligations, it can be a challenge for citizens to give input on proposed legislation the traditional way: by driving to Concord and presenting testimony at committee hearings.

Citizen VoicesSM makes it possible for people to take part in the legislative process in an easy and convenient way: through social media. We post clear 'yes or no' questions about pending legislation on our Facebook page. Citizens weigh in, sharing their opinions and discussing the issues. We analyze the discussion, summarizing the results in an easy-to-read report which we then bring to Concord and put in the hands of elected officials.

Q) Is this a form of lobbying?

A) Citizens Count NH is a strictly nonpartisan organization. We do not take a stance on the issues, and do not present our testimony as an argument for or against a policy position. Our role is merely to serve as a source of valuable information for elected officials, and as a resource for citizens who wish to participate in government but do not have the ability to appear at the Statehouse in person.

Q) How do you know the people responding are from New Hampshire?

A) Citizens Count NH makes every effort to ensure that only responses from New Hampshire residents are counted. We check participants' Facebook profiles to determine their location, or message them to confirm their status as a Granite Stater, and filter our results accordingly.

Q) How do you arrive at your 'yes or no' percentages?

A) The full content of all responses to the Facebook discussion is exported into a spreadsheet. After filtering for New Hampshire residency status, our staff members review each response and determine whether it constitutes a “yes” response, “no” response, or broader comment on the issue. (Responses which are not in any way related to the issue or to New Hampshire public policy, such as personal conversations between citizens, are labeled “off-topic” and are not counted.)

Concurrences—or “likes” on comments—are counted as responses in the same category as the comment “liked”. For example, a “like” on a “yes” post is considered a “yes” response for quantification purposes.

Only one response from each individual citizen is counted in this manner. Comments written by the citizen are given priority. If a “yes” or “no” comment is not available for a particular individual, “likes” on the responses of others are used to establish a position.

Our “yes” or “no” percentages are calculated by comparing the total number of participants with a “yes” position against participants with a “no” position.

Q) How do you count the number of participants?

A) The total number of participants listed for each Citizen VoicesSM report represents the number of individuals who interact in the discussion, and is therefore a sum of the following:

- Individuals giving “yes” or “no” responses
- Individuals making broader comments on the issue or related policy issues
- Individuals making off-topic comments
- Individuals who share the post or “like” the question itself

Q) How do you count the number of responses?

A) The total number of responses listed in the Citizen VoicesSM report is the sum of all instances of engagement made with the post, and does count multiple interactions from the same individual. This number is calculated by adding:

- The total number of comments
- The total number of shares
- The total number of “likes” on either the post itself, on other user comments, or on shared versions of the post.

Q) How are Citizen VoicesSM used?

A) In addition to presenting them as testimony at legislative committee hearings, Citizen VoicesSM are distributed in the following ways:

- Sent to elected officials, special interest groups, municipal leaders, and other bodies such as schools or professional organizations, as is appropriate based on the subject of the Citizen Voices report.
- Sent to news and opinion editors of New Hampshire media outlets.
- Posted online on the CitizensCount.org website.
- Sent to Citizen Voices subscribers who have opted to receive all of our Citizen Voices write-ups.

Q) What is Citizens Count NH?

A) Citizens Count, NH’s Live Free or Die Alliance is a nonpartisan nonprofit organization with a mission of making citizen engagement easier by providing objective information about issues and candidates, promoting the civil exchange of opinions in a variety of forums, and connecting citizens with their elected officials. The organization does not take a position on issues or endorse candidates or elected officials. To learn more, visit CitizensCount.org.

#3

**APPENDIX B:
FULL FACEBOOK DISCUSSION
POSTED MARCH 18, 2017**

The Live Free or Die Alliance

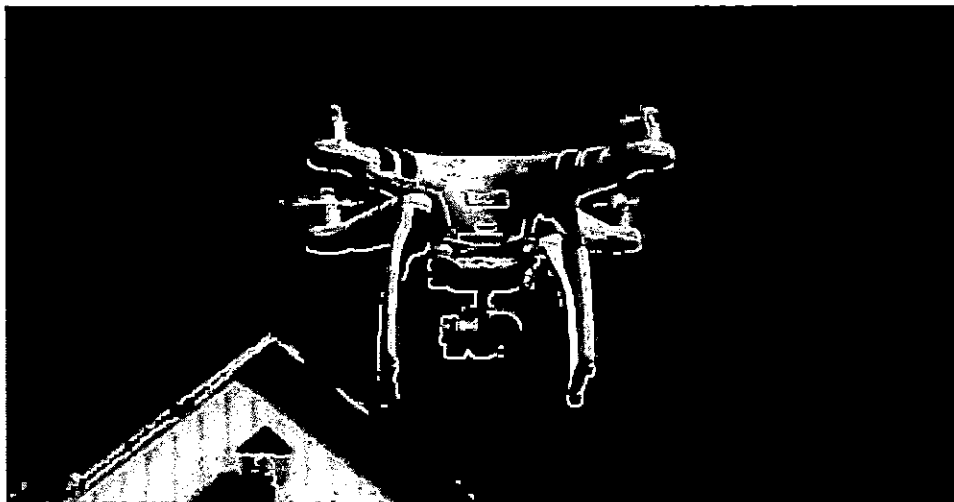
Published by Liberty Lane · March 18 at 5:00pm

Should drones be prohibited from flying or taking pictures over private property without permission?

Use hashtags to share your opinion with us: #yes or #no

Your voice counts! We plan to present a summary of the comments received to legislators considering the bill related to this question, HB 97. Only responses from New Hampshire residents will be counted. Please indicate if you are a NH resident somewhere in your response.

Learn more at <http://lfda.org/news/limits-drones-over-private-property>



Limits on drones over private property?

Drones are a relatively new technology, and therefore raise a multitude of issues for legislators. HB 97, sponsored by Republican Rep. Neal Kurk and Rep.

LFDA.ORG

[Learn More](#)

22,852 people reached

[View Results](#)

Like Comment Share

CC BY
LFDA

Cathy Howlett, Beatrice Lamoureux and 167 others

[Chronological](#)

29 shares

[420 Comments](#)



Keven Storm Nawrocki #yes NH res
Like · Reply · Message · March 18 at 5:00pm



Corey Gordon No
Like · Reply · Message · March 18 at 5:01pm



Nicole Pelkey #yes nh resident
Like · Reply · Message · March 18 at 5:01pm



Chris Gove NH res #yes
Like · Reply · Message · March 18 at 5:02pm · Edited



Bill Marr #yes
Private means private.
Like · Reply · Message · March 18 at 5:01pm

1



Joyce Anderson #yes N.H. resident
Like · Reply · Message · March 18 at 5:03pm



Andrew Rea This is a complex one because drones can be used for a bunch of useful commercial applications like surveying areas before or after storms etc. to ban this outright seems like government overreach
Like · Reply · Message · March 18 at 5:04pm



Catherine Norton #yes nh resident
Like · Reply · Message · March 18 at 5:05pm



Thomas Carr NH res #yes
Like · Reply · Message · March 18 at 5:06pm



Scott Johnson #yes. It's trespassing and trespassing is illegal.
Like · Reply · Message · March 18 at 5:07pm



Betty Johnson #yes NH resident
Like · Reply · Message · March 18 at 5:08pm



Judy Bleeks Yes, keep drones away from my home
Like · Reply · Message · March 18 at 5:09pm



Nancy Clark They should NOT be allowed to take pictures over private property.
Like · Reply · Message · March 18 at 5:09pm



Ken Noel #Yes
Like · Reply · Message · March 18 at 5:10pm



Brent Lachs #yes and law enforcement needs a warrant
Like · Reply · Message · 1 · March 18 at 5:11pm



Mark Wholley #yes MH Resident
Like · Reply · Message · March 18 at 5:14pm · Edited



Leonard Lobao yes
Like · Reply · Message · March 18 at 5:14pm



Michael Farrell #yes
Like · Reply · Message · March 18 at 5:14pm



Wayne Kreienseck Yes!
Like · Reply · Message · March 18 at 5:15pm



Kerry Anne Garnick #yes. Supreme Court precedent sites a reasonable right to privacy in one's own home. This makes non-consensual drone flight over private property unconstitutional. #nhresident
Like · Reply · Message · March 18 at 5:15pm



Mike Altobello Yes and it should be legal to shoot them down. Warrant or not!
Like · Reply · Message · 3 · March 18 at 5:16pm



Carol O'Brien Nobody should be using drones to take pictures of anybody other than their own family. People who use drones to spy and take photos are worse than peeping toms and
Like · Reply · Message · March 18 at 5:16pm



Bob LaFrambois #YES NH RESIDENT!
Like · Reply · Message · March 18 at 5:17pm · Edited



Stephen Kelley #Yes
Like · Reply · Message · March 18 at 5:19pm



Mary Gardiner Edwards #YES IN NH but how do you handle and report such a situation, not knowing who's Drone it is? Who would police this
Like · Reply · Message · 1 · March 18 at 5:22pm · Edited



Veronica Christopher Excellent question. They can make rules and laws all they want but without an enforcement plan it wouldn't work.
Like · Reply · Message · 1 · March 18 at 5:27pm · Edited

CCNH LFDA Write a reply...



Anthony Dutton #yes. NH Resident. If not the days of skinny dipping in your private yard are over. Anyone shouldn't be allowed to just enter your airspace and film you.
Like · Reply · Message · 1 · March 18 at 5:24pm · Edited



Patricia Spina #YES NH resident
Should be permitted only with the owner's permission.
Like · Reply · Message · March 18 at 5:24pm



Frank Hamel whats the bag limit in a day what size shot can you use lead or do you have to use steel shot
Like · Reply · Message · 1 · March 18 at 5:24pm



Rick Haley Steel shot 12 gauge
Like · Reply · Message · 1 · March 18 at 5:29pm



Write a reply...



Lori Bolduc #yes nh resident -no one should be able to infringe on anyone else's right to privacy. I personally think we should be allowed to shoot them down if found hovering over private property.
Like · Reply · Message · 1 · March 18 at 5:26pm · Edited



Gene K Sawyer Yes it a invasion of privacy.
Like · Reply · Message · March 18 at 5:26pm



Veronica Christopher #yes
You answered your own question. PRIVATE property.

Resident
Like · Reply · Message · March 18 at 5:26pm



Cheryl McCabe Bleau #yes
Like · Reply · Message · March 18 at 5:26pm



Jay Farrell #yes #nhres
Like · Reply · Message · March 18 at 5:26pm



Bernard Edgar Allard Dauphinais #YES from a NH resident. It's a shame we have to legislate common courtesy and respect.
Like · Reply · Message · 5 · March 18 at 5:27pm



Stu Carb #yes #NHresident
Like · Reply · Message · March 18 at 5:27pm



Jonathan Dodge Yes and if you feel you are being spied upon by means of a drone you should be well within your rights when you shoot it out of the sky !
Like · Reply · Message · 4 · March 18 at 5:28pm



Etta Rose Guy # yes NH
Like · Reply · Message · March 18 at 5:28pm



Joseph M. DeVore #yes #NHresident
Like · Reply · Message · March 18 at 5:29pm



Ken LeBaron #yes
Like · Reply · Message · March 18 at 5:30pm



Erin Riccio # yes. Nh resident.
Like · Reply · Message · March 18 at 5:30pm



Greg McLeod # Yes - NH resident.
Like · Reply · Message · March 18 at 5:31pm



Lorraine Bickford #yes nh resident
Like · Reply · Message · March 18 at 5:31pm



Travis Dewees #Yes! Still trespassing and they should get max charges.
Like · Reply · Message · March 18 at 5:32pm



Mark Altvater #yes
Like · Reply · Message · March 18 at 5:33pm



Debbie Sevigny What part of PRIVATE don't you understand? #YES
Like · Reply · Message · March 18 at 5:33pm



Jerry OConnor How about restricted airspace !!!!
Like · Reply · Message · March 18 at 5:34pm

Bill Lord # yes NH



Like · Reply · Message · March 18 at 5:35pm



James Gleason #no for the reason of if you are going to limit that then cameras and smart phones should get the same limits because they can do the same thing. Cameras are far superior then any consumer drone with quality, zoom, and ability to hide them from view.

Like · Reply · Message · 1 · March 18 at 5:36pm



Bob Robertson #No #NHResident Are cameras prohibited? Only when they invade privacy. By making a special case for "drones" the door is open to regulate by thousands of little cuts what people are allowed to do. Prohibition assumes that people are not allowed to act without government permission, the very opposite of the concept of "rights".

Just as restrictions on photography evolved, allow rules concerning drones to evolve rather than knee-jerk "prohibiting".

Like · Reply · Message · 2 · March 18 at 5:36pm



Pauline Corzilius Actually cameras/ photography are under the property owner's choice if the photographer is standing on that property (as opposed to shooting from a public sidewalk). The difference is that in this case we are talking about the drone actually coming onto your property.

Like · Reply · Message · 1 · March 18 at 5:44pm · Edited



Bob Robertson Pauline, Then there is no reason for more laws. That was my point.

Like · Reply · Message · March 18 at 5:44pm



Valerie Morrison what about the right to privacy for individuals on private property. They are talking about an invasion of privacy without permission from the individual. I should not have to give up my right to privacy so that someone can fly their drone over MY property and take pictures without permission!

Like · Reply · Message · March 18 at 5:47pm



Bob Robertson Valerie, you again make my point for me. All the laws needed already exist. There is no reason for more laws to specify "drones", any more than there is a law for speeding on a motorcycle, and another law for speeding in a truck, and another law for speeding in a car.

Like · Reply · Message · 2 · March 18 at 5:48pm



Bob Robertson And before someone brings up the fact that there are occasionally maximum speeds set for trucks, yes, I know it's not a perfect analogy.

Like · Reply · Message · March 18 at 5:54pm



James C Webb Jr. Bob Robertson There is a reason for new laws, police are too lazy to look up the current laws that apply, thus one law made for drones will be enforced more often

Like · Reply · Message · March 18 at 5:56pm



Bob Robertson James C Webb Jr. I consider that to be stupidest, laziest excuse for making laws I've ever heard of.

Like · Reply · Message · 1 · March 18 at 5:57pm



Bob Robertson Maybe not quite as stupid and lazy as "I don't like it so you can't do it".

Like · Reply · Message · 1 · March 18 at 5:57pm



Bob Robertson {chuckle} Even I don't hold police in _that_ much contempt.

Like · Reply · Message · March 18 at 5:58pm



Write a reply...



Vickey Lucier #yes

Like · Reply · Message · March 18 at 5:36pm



Vickey Lucier From DOVER NH

Like · Reply · Message · March 18 at 5:37pm



Write a reply...



Sofia Cunha-Vasconcelos #YES. NH resident

Like · Reply · Message · March 18 at 5:37pm



Anthony J. Lamoly #yes Newton, NH resident.


Like · Reply · Message · March 18 at 5:37pm





James Gleason But people hear drone and think they can read the size of your pants from outer space... 20-30 ft up a drone can't make out any specific features of a person. Do some research before you speak people.


Like · Reply · Message · March 18 at 5:38pm · Edited


Lisa Moseley Donnelly #YES absolutely. I am a NH resident.


 Like · Reply · Message · March 18 at 5:37pm


 **Heather Bousquet** #Yes!!! #NH resident
Like · Reply · Message · March 18 at 5:37pm


 **Terry Twyman** #yes
Like · Reply · Message · March 18 at 5:38pm


 **Pauline Corzilius** #Yes. NH resident. Allowing this is inconsistent with existing NH property rights, which include rights to the soil below and the air above your property. Additionally, who pays if a drone does property damage, like a broken window or torn roof shingles?
Like · Reply · Message · March 18 at 5:45pm · Edited


 **Sj Sirois** Shoot it
Like · Reply · Message · 1 · March 18 at 5:40pm


 **James Tracey** #Yes they are invasive and should be played with over public areas if at all.
Like · Reply · Message · March 18 at 5:40pm


 **Mary Gardiner Edwards** How on earth do you have the time and means to address a drone passing over your estate if it takes time for a PD to come and verify it, then get a warrant and figure out who to nail with it? How would you know who the drone operator is since they could control secretly from a distance! It would be gone by the time PD arrived. Are you allowed to shoot it done by any means necessary 🤖
Like · Reply · Message · March 18 at 5:40pm


 **Bob Grogan** Yes
Like · Reply · Message · March 18 at 5:41pm

 **Logan Gabriel** #yes. Otherwise it's drone season.
Like · Reply · Message · March 18 at 5:41pm

 **Marice Nelson** nh resident, #no, exception for people, should have permission for that
Like · Reply · Message · March 18 at 5:42pm


 **David Headley** #YES, NH resident.
Like · Reply · Message · March 18 at 5:43pm


 **Valerie Morrison** #yes we all have a right to privacy and drones should not invade that.
Like · Reply · Message · March 18 at 5:44pm


 **James Gleason** This is from 10 feet up and about 7-10ft away. Can you make out the features of my family or myself closely other than a beard and shirt? No you can't please people research before you post. There are supposed to be 4 people in that photo too by the way.




Like · Reply · Message · March 18 at 5:45pm · Edited

 **Tiera Colette Ferreira** Why do you need to fly it over someone's private property then?
Like · Reply · Message · March 18 at 5:50pm

 **James Gleason** You don't need to but if you are flying to a different area and it goes over a house you think it is ok to shoot it down?
Like · Reply · Message · March 18 at 5:51pm

 **Ed Fitzgerald** Yep still over my property
Like · Reply · Message · March 18 at 6:07pm

 **James Gleason** So are you going to shoot the person that takes a picture with their smart phone and your house is in the background because my phone takes better pictures than a drone. Or the person taking pictures

of birds that are by your house. No you won't stop being biased to something you don't know enough about. Again do your research before you comment.
Like · Reply · Message · March 18 at 6:16pm



Eric Breslin First of all ... perspective is telling me that is more than 10' away. Second ... you and I both know that is a lousy image and MUCH clearer and detailed images can be had from drones at even 50'. A simple google search proves that. And lastly ... nobody says you can't "cross over someone's property" to get to where you are going. Just do it at 250' up. What's the problem with that?

Like · Reply · Message · 1 · March 18 at 8:03pm



James Gleason 100% positive on 10ft away it's at the bottom of the steps of my front porch and just after takeoff. And with a 1080p camera so your perspective is junk. As I said before do your research on CONSUMER drones. None will work like you said. Just a few weeks ago there was a story of a woman pulling a gun on a drone that was supposedly in her yard taking video of her. The picture showing the gun was taken with a phantom 3 type drone with 4k camera at about 30ft away and was still grainy, you couldn't even see her expression or eyes only the gun and blond hair looking at it. And that was one side of the story. And the do it at 250ft up, that isn't what the proposed law says or what people here are saying. Some are saying goes they will shoot it down no matter what. And still no viable reply to my camera or phone response. Why is that, oh because that point is better than any drone is taking pictures of me argument. No matter what there are laws in place for peeping Tom type people for anything, regular cameras or phones. Those laws are the only thing that should apply to drones. Just like texting laws, there are already distracted driving laws, enforce those and no texting law is needed. Again perspective is in the eye of the beholder and yours is more biased then a libral trying to respond to Bernie Sanders paying 13% in taxes and having a 3rd home.

Like · Reply · Message · March 18 at 9:22pm



James Gleason Also 250ft is above their property not total from what I read, and either way airspace can be controlled only by the FAA.

Like · Reply · Message · March 18 at 9:27pm



James Gleason Oh on top of that I just got a phantom 3 with a 2.7k camera which I took on vacation this past week. I can see my family when I'm 30-50ft up but can't make out details. Again your wrong. Sorry haven't saved those to anywhere but the sd card in it yet to prove you wrong for the 3rd or 4th time.

Like · Reply · Message · March 18 at 9:31pm



Write a reply...



Paula Consiglio Murphy They should be restricted, period.

Like · Reply · Message · 1 · March 18 at 5:44pm



Andrew Gomes #yes. If I see one over my property it WILL get shot down....

Like · Reply · Message · 1 · March 18 at 5:48pm



Tiera Colette Ferreira #yes nh resident.

We were out back last summer with our kids playing in the pool and one hovered over our yard. Its unfortunate that there is no way of knowing who it belonged to. It left and then came back again.

Like · Reply · Message · March 18 at 5:49pm



Robin Bruedle Anyone that is over 1/2 pound has to be registered

Like · Reply · Message · 1 · March 18 at 6:01pm



Tiera Colette Ferreira Yes, I know That they have to be registered. But, unless you have binoculars you can't see what the serial number is on those things. Unless you can get ahold of it there's no way to know who it belongs to.

That's what we were told when we reported it.

Like · Reply · Message · March 18 at 6:09pm · Edited



Ed Fitzgerald Do you mean anything over half pound don't understand

Like · Reply · Message · March 18 at 6:08pm



Write a reply...



James C Webb Jr. NH resident #yes, it is already illegal to fly drones over private property, it is called trespassing

Like · Reply · Message · 2 · March 18 at 5:49pm



Christine Connors Summers Awww we have the same drone !!

#no

Cell phones should be first if you are deciding on this
NH resident

Like · Reply · Message · March 18 at 5:53pm



Joey Kushington Muder #yes Obviously. If I put up a fence to keep prying eyes out and you come over my head with a drone that's an invasion of my privacy IMO.

Like · Reply · Message · 1 · March 18 at 5:54pm



John Mcgrail Not over my home i will take it down

Like · Reply · Message · 1 · March 18 at 5:54pm



Norman Savageau Slingshot targets, Opps crash

Like · Reply · Message · 1 · March 18 at 5:54pm



Majella Keating Yes

Like · Reply · Message · March 18 at 5:54pm



Katerina Mäghan Google is allowed to though?

Like · Reply · Message · March 18 at 5:55pm



Stephen Blaisdell #yes

Like · Reply · Message · March 18 at 5:56pm



Panagiotes Petrakis #yes NH resident. Without a human operator to interact with to grant or deny permission, the default should be to protect private property rights. That it is inconvenient for the drone operator to obtain my permission is their problem. They were smart enough to make drones, I'm sure they'll figure out a system to obtain each land owners permission at scale too.

Like · Reply · Message · March 18 at 6:06pm · Edited



Eric Eichner Nah, just allow me to shoot the things down if they're over my property....No? Ok, ban them then.

Like · Reply · Message · March 18 at 5:58pm



Susan Roderick Shotgun with birdshot will do the trick

Like · Reply · Message · 1 · March 18 at 5:58pm



Gilles Montminy In my air space? Shoot them down

If my/ your neighbors stood by the fence on a ladder with a camera what would you say then???

Like · Reply · Message · March 18 at 5:59pm



Paul Skeffington #yes

Like · Reply · Message · March 18 at 5:59pm



Robin Bruedle #yes NH resident

Like · Reply · Message · March 18 at 5:59pm



Robin Bruedle If I put up a fence for privacy and I see one of these hovering above. The owner is going to be upset, it will be trash after one shot

Like · Reply · Message · March 18 at 6:12pm



Robin Bruedle With or without a fence it is gone

Like · Reply · Message · March 18 at 6:12pm

CCNH
LFDA

Write a reply...



Mike Furbush # yes and the towns should be prohibited using them for property assessment and police without warrants.

Like · Reply · Message · 2 · March 18 at 6:03pm



Casey Jones Walton # yes

Like · Reply · Message · March 18 at 6:05pm



Mohandas Himmler #no but I should be able to shoot it down

Like · Reply · Message · 1 · March 18 at 6:05pm



Curry Christine Just what I would say. Fair game!

Like · Reply · Message · March 18 at 6:26pm

CCNH
LFDA

Write a reply...



Cheryl Heymans #Yes- NH resident

Like · Reply · Message · March 18 at 6:07pm



Steve Marchant Yes...MA resident

Like · Reply · Message · March 18 at 6:08pm

George Leclair Shoot at it with a slingshot

7



Like · Reply · Message · 1 · March 18 at 6:09pm



Eric Breslin Or paintball gun ...

Like · Reply · Message · 1 · March 18 at 7:53pm



Write a reply...



Sue Gromis Marko #yes NH resident

Like · Reply · Message · March 18 at 6:10pm



Jacob Sellers #Yes NH Resident, but only if that includes government ones as well:

Like · Reply · Message · 1 · March 18 at 6:11pm



Daniel Young Would the law protect us from the government drones?

Like · Reply · Message · March 18 at 6:14pm



Eric Curtis Cummings It is generally accepted that you own the airspace over your property to a altitude of 400ft in most cases.

Like · Reply · Message · 1 · March 18 at 6:16pm



Thalia Marino Yes

Like · Reply · Message · March 18 at 6:16pm



Craig Carson Private property is private property. From the ground down up to the air.

Like · Reply · Message · March 18 at 6:16pm



Kyle Mandler so what do you do with those pesky airliners?

Like · Reply · Message · March 18 at 7:20pm



Craig Carson FAA has an exemption for the right to transport. Would you compare that to peeping drones?

Like · Reply · Message · March 18 at 7:45pm



Write a reply...



Alfred Amato Well ya , if I can shoot it down ,12 gague should do it .

Like · Reply · Message · 1 · March 18 at 6:20pm



Heather Robison Hillman Of course they should be prohibited. Allowing people to watch and/or take pics of people on private property is an invasion of privacy!

Like · Reply · Message · March 18 at 6:30pm



Jen Rukstela #yes NH resident. When you own real estate, you own the air above it as well. If I could hang a no trespassing sign on the air, I would. Since I cannot, the one at the entrance to my driveway should suffice.

Like · Reply · Message · 1 · March 18 at 6:32pm



Joseph Mandigo Jr #yes and allow us to shoot them down.

Like · Reply · Message · 1 · March 18 at 6:34pm



Gary Grazioli Absolutely yes we should be able to shoot them down or take them down in any manner possible without repercussion legally or otherwise

Like · Reply · Message · 1 · March 18 at 6:41pm



Shirley Ann #yes

Like · Reply · Message · March 18 at 6:44pm



Bruce Pariseau Absolutely ! #yes NH resident

Like · Reply · Message · March 18 at 6:46pm



Aaron Penkacik No. The First Amendment should not be ignored. Trespassing laws do not address airspace over a residence and are therefore not applicable. That said, a citizen should have the right, complying with local laws, to shoot one down if it infringes on their property.

Like · Reply · Message · March 18 at 6:58pm



Joey Tee yes but you should also be allowed to shoot them down. or have drones of your own maintaining your own air space. lets make it fun people.

Like · Reply · Message · March 18 at 7:02pm



Dan Daigle Absolutely or risk being shot down.

Like · Reply · Message · March 18 at 7:05pm

8



Alfie Mathews I walked the beach today. Nice to see folks out, getting exercise. There was a drone flying overhead, as I walked the boardwalk. I was just thinking how nice a day it would be to fly a kite. I think the drone took down a couple of seagulls, though.

Like · Reply · Message · March 18 at 7:06pm



Roland Boutin Send up your own drone and take it down, it is that simple. You have a right to protect yourself, property and family!

Like · Reply · Message · March 18 at 7:08pm



Ann Allison I am not in favor of new legislation. I am hoping that existing legislation can be used to control drones. Perhaps laws regarding unauthorized surveillance would be a good place to start. My understanding of drone operation is that the operator needs to be able to see the drone at all times. You can't just send your drone across town and control it from your computer.

Like · Reply · Message · 1 · March 18 at 7:14pm



Alan Christie #NO!!

Like · Reply · Message · March 18 at 7:14pm



Jason Dubrow #yes #nhresident

Like · Reply · Message · March 18 at 7:17pm



Amanda Ford #yes, NH resident

Like · Reply · Message · March 18 at 7:27pm



Dennis Fleming # Yes 👍

Like · Reply · Message · March 18 at 7:28pm



Chuck Mitchell #NO! What a total bummer if you could fly a drone over your own property or over public lands. They are wonderful toys and be used to document many things which could not be done otherwise.

Like · Reply · Message · March 18 at 7:29pm · Edited



Eric Breslin For what it's worth ... did you read the bill? Sounds like you didn't if your concern is YOUR OWN private property and public lands. This bill would restrict flying to over 250 feet above someone ELSE'S private property. And, obviously, limit police use without a warrant.

Like · Reply · Message · 1 · March 18 at 7:51pm

CCKH LFDA

Write a reply...



Greg Burton no issue here as long as I have equal protections when I shoot it down.

Like · Reply · Message · 2 · March 18 at 7:30pm

Aaron Gaylord #yes Resident. Of course we should. As citizens of the United States we have the right to privacy not only from each other but as well as domestic government surveillance.

Like · Reply · Message · March 18 at 7:30pm



Justin Cross yes, helicopters can take photos.. why not drones. I live in Nh and I own a drone..

Like · Reply · Message · March 18 at 7:36pm



Kelly Hill Harris #Yes - Exeter, NH resident

Like · Reply · Message · March 18 at 7:45pm · Edited



Mark Shaheen #yes

Like · Reply · Message · March 18 at 7:54pm



Patrick Maloney # ya

Like · Reply · Message · March 18 at 7:56pm



Jeff Goodreau #YES NH resident

Like · Reply · Message · March 18 at 7:56pm



Karen Bergeron #yes

Like · Reply · Message · March 18 at 7:56pm



Mark Nolin I catch one ovah my piece.. ill without a doubt.. shoot it down like its ah skeet shoot..

Meet the owner at the end of my driveway holding with a bag with whats left..

Like · Reply · Message · 1 · March 18 at 7:57pm



Mindy Buxton #yes and damn google nh resident

Like · Reply · Message · March 18 at 8:02pm · Edited



JJ Centola #yes NH Resident

Like · Reply · Message · March 18 at 8:10pm · Edited



Eric Breslin #no NH Resident - as has been stated, there are already laws on the books stating you cannot invade private property with a camera or recording device. Although, a simple line item amendment to that law stating a drone can fly 250'+ above a private residence seems reasonable. But again, amend the current law - no new legislation please. Every new "law" means more work for police and the criminal justice system.

Like · Reply · Message · 2 · March 18 at 8:09pm



Deb Drown-Lachance Makes sense. Amend current laws

Like · Reply · Message · 1 · March 18 at 8:29pm



Write a reply...



Maura Sullivan Wiser YES resident

Like · Reply · Message · March 18 at 8:10pm



Walter Corey WHATEVER,,,,THOSE ARE RED NECK SKEETS RIGHT THERE , NEW HAMPSHIRE RESIDENT

Like · Reply · Message · 2 · March 18 at 8:10pm



Scott Morse yes manchester nh here

Like · Reply · Message · March 18 at 8:19pm



Eric Brunelle #yes invasion of privacy, trespassing, potential espionage

Like · Reply · Message · March 18 at 8:21pm



Kbgg Bga #yes!! #nhresident

Like · Reply · Message · March 18 at 8:24pm



Deb Drown-Lachance #yes. NH resident

Like · Reply · Message · March 18 at 8:27pm



Adam Libby #yesnh

Like · Reply · Message · March 18 at 8:35pm



Joanné Cranshaw I see one it s going byee byee...

Like · Reply · Message · March 18 at 8:36pm



Tim Decareau #no

Like · Reply · Message · March 18 at 8:38pm



Roy Sargent #yes of course they should. You have a right to privacy on your own property. Also yes I'm a NH resident.

Like · Reply · Message · March 18 at 8:38pm



Rick Boucher Yes and even though I have been branded a liberal, your drone would be met with a blast from my shotgun!! Non resident but so it goes 🐱

Like · Reply · Message · 1 · March 18 at 8:43pm



Mike Thurston wow a liberal that has fire arms? that's a contradiction

Like · Reply · Message · 1 · March 18 at 9:10pm



Ethan Setear ^mike thurston is a stupid bitch.

Like · Reply · Message · March 19 at 12:35am



The Live Free or Die Alliance Please keep the discussion civil.

Like · Reply · Commented on by Cathie Plante · March 20 at 8:43am



Mike Thurston Ethan Setear stop being so butt hurt it was just a joke

Like · Reply · Message · 1 · March 20 at 8:50am



Rick Boucher More of us than you would guess, we just think a little more diversely than the usual gun waving conservative. If we must label.

Like · Reply · Message · March 20 at 8:53am



Write a reply...



Susan Dow #yes. NH resident. Private property should not be photographed without permission.

Like · Reply · Message · 1 · March 18 at 8:44pm



Robert Boggia Yes but just flying around your neighborhood not stopping over your neighbors pools ! I'll shoot it down

Like · Reply · Message · 1 · March 18 at 8:44pm



Benjamin Godfrey #yes NH resident

Like · Reply · Message · March 18 at 8:45pm



Michael Carr NH resident. #yes if they do so without permission I say it's fair game for target practice
Like · Reply · Message · 2 · March 18 at 8:45pm



Mitch Couture #yes
Like · Reply · Message · March 18 at 8:48pm



Neal Parks NH resident #yes
Like · Reply · Message · March 18 at 8:55pm



Matthew Jamis Ryan NH Resident. #No
Like · Reply · Message · March 18 at 8:59pm



Ron Villemaire No problem....I can use the target practice....better than skeet
Like · Reply · Message · 3 · March 18 at 9:05pm



Mike Thurston then you would be in trouble with the FAA and local law enforcement
Like · Reply · Message · 1 · March 18 at 9:09pm



Ron Villemaire On my property....too damn bad
Like · Reply · Message · March 18 at 9:12pm



Mark Scott Your property does not extend into the sky. Only physical ground. If you shoot at drone, you'll be charged federally...
Like · Reply · Message · March 18 at 10:11pm



Alex Kish Not so Scott. Like many other things it depends. But the general rule is the ground below and the sky above ARE your property. However there are usually State imposed restrictions, easements, etc. That said, you will be held accountable for where your bullets travel.
Like · Reply · Message · March 18 at 11:23pm



Ron Villemaire scott....I hit what I shoot at....if the owner wants to complain he better stay off my property or the drone won't be the only thing that gets shot.....
Like · Reply · Message · March 18 at 11:26pm



Mike Thurston Ron Villemaire you're what gives gun owners a bad name
Like · Reply · Message · March 18 at 11:33pm



Ron Villemaire that's why our state slogan is live free or die.....if someone has to die in order to protect MY freedom that's their problem.....no one has the right to come on my property and spy on me.....from the air or just peeping in my windows.....stay the hell off my property and there is no problem.....
Like · Reply · Message · March 18 at 11:37pm



Mike Thurston Ron Villemaire how about you shoot the police helicopters and planes that fly over houses all the time taking pictures of your home and others and see how well that works for you
Like · Reply · Message · March 19 at 2:43pm

CCNH
LFDA

Write a reply...



Clint Martin Yes
Like · Reply · Message · March 18 at 9:24pm



Mark Poirier I own a drone and #yes. Private property rights mean something...
Like · Reply · Message · 1 · March 18 at 9:28pm



John Cash It's your property they have no right
Like · Reply · Message · March 18 at 9:45pm



David Bergquist #yes. NH resident.
Like · Reply · Message · March 18 at 9:54pm



Lisa Scally #yes. NH Resident.
Like · Reply · Message · March 18 at 9:58pm



Jane Astley YES!!!! Resident
Like · Reply · Message · March 18 at 10:10pm



Mark Scott #yes
Like · Reply · Message · March 18 at 10:10pm



Bob Arsenaault I have an apt for them it's called a 12 guage !!!
Like · Reply · Message · 1 · March 18 at 10:11pm



Mike Thurston then you will be put in jail

Like · Reply · Message · March 18 at 11:25pm

CCNH
LFGA

Write a reply...



Carlo Calle NH Resident #No

Like · Reply · Message · March 18 at 10:14pm



Jennifer Savoy #yes NH resident

Like · Reply · Message · March 18 at 10:34pm



Andy Dubiel Sr. Shoot them down!

Like · Reply · Message · 1 · March 18 at 10:36pm



Aaron Beck #yes nh

Like · Reply · Message · March 18 at 10:47pm



Sharon Griffin Woodside #yes

Like · Reply · Message · March 18 at 11:08pm



Mike Thurston #no the sky is not anyone's property

Like · Reply · Message · 1 · March 18 at 11:26pm



Amanda Smith # No #nh resident... no but should get in trouble if trying to spy but if ur just trying to take a beautiful pic it should be ok

Like · Reply · Message · March 18 at 11:32pm



Justin Daigle #yes

Like · Reply · Message · March 18 at 11:37pm



J David Atwood #yes and why is this even up for debate!??

Like · Reply · Message · March 18 at 11:44pm



Dolly Olson #yes

Like · Reply · Message · March 18 at 11:50pm



Kathy Brann #yes NH resident. Should not be allowed.

Like · Reply · Message · March 18 at 11:56pm · Edited



Travis Kulak #yes

Like · Reply · Message · March 18 at 11:56pm



Pam Williams #yes - NH resident. When in your backyard, out of the sight of the public way, you have the expectation of privacy. A drone is no different than someone peeking through your fence or your window.

Like · Reply · Message · 1 · March 19 at 12:31am



Erik Ferguson Target practice. Knock 'em down. 😊

Like · Reply · Message · 3 · March 19 at 12:38am



Jan Picard-Noyes yes yes yes

Like · Reply · Message · March 19 at 5:37am

CCNH
LFGA

Write a reply...



Robert Philbrick "PULL"!....BOOM!!!!....Oh, sorry ...thought it was a clay pigeon

Like · Reply · Message · 1 · March 19 at 12:53am



Barbara Owen #yes

Like · Reply · Message · March 19 at 1:03am



Gary Vitello #YES NH Resident

Like · Reply · Message · March 19 at 2:15am



Brian Dunn #yes I actually wrote about this in late 2015, a case of a man who shot a drone with a shotgun after it approached him and his family on his property. The drone owner sued him for destroying his drone and lost with the judge ruling it is legal to shoot down a drone on your property. I believe it was Oklahoma. The problem is though, it would not be legal to shoot down a helicopter or plane that flies over your property. What is defined as your property does not include airspace over your property for a number of feet. Defining how much air-space a property owner is entitled to on their privately owned property will be at the heart of this debate in the future. I happen to agree with the oklahoma judge though.

Like · Reply · Message · March 19 at 2:31am

12



Toni Piper #Yes - or any father protecting his sunbathing daughter should not be prosecuted! There should be open season on drones if they refuse to respect individuals' privacy.

Like · Reply · Message · 3 · March 19 at 4:49am



Tammy Genest #yes

Like · Reply · Message · March 19 at 5:21am



Jan Picard-Noyes yes shoot them down

Like · Reply · Message · 2 · March 19 at 5:37am



Raymond George Comey came out and said the other day that the 4th amendment is being suspended because he see's it as a suggestion he chooses not to take (he didn't say those exact words, but that

Like · Reply · Message · March 19 at 5:48am



Raymond George You know i hate the way this frigging site enters your comments. Try to hit the apostrophe or the right shift key and your comment is done. I guess that's why nobody uses that.

Like · Reply · Message · March 19 at 5:50am



Keith Menzies Just shoot em down, it's not hard. Fun target practice too 😊

Like · Reply · Message · 5 · March 19 at 6:56am



Tammy Eldredge Mahoney #yes, NH resident

Like · Reply · Message · March 19 at 7:10am



Ronald Hawes Yes. I own the airspace as well. Illegal with permission. Susan Hawes

Like · Reply · Message · March 19 at 7:13am



Kelly Nedeau Yes...nh res

Like · Reply · Message · March 19 at 7:18am



Brandon Marzolf #yes NH resident. You fly it where it doesn't belong, don't go crying to the police when it's blown out of the sky.

Like · Reply · Message · 2 · March 19 at 7:21am



Jeanne Stone #yes NH resident.

Like · Reply · Message · March 19 at 7:36am



Deborah Kiefaber Absolutely !!!

Like · Reply · Message · March 19 at 7:42am



Raymond Labonte NH resident #yes absolutely this is an invasion of privacy

Like · Reply · Message · 1 · March 19 at 7:45am



Prescott Newhall That's what shotgun are for

Like · Reply · Message · 5 · March 19 at 7:47am



David Love Yes ...NH Citizen and resident

Like · Reply · Message · March 19 at 7:49am



Josh Horowitz #yes, NH Resident. That being said, the most important part of this legislation is the limitation on government and law enforcement use of drones. I read the text - seems to be reasonably well thought out.

Like · Reply · Message · 1 · March 19 at 8:09am



Susan Gilcreast YES!!!!!! , NH resident

Like · Reply · Message · March 19 at 8:12am · Edited



Edward Michaud Yes

Like · Reply · Message · March 19 at 8:14am



Mike Haynes yes

Like · Reply · Message · March 19 at 8:32am



Jay Doggett #yes

Like · Reply · Message · March 19 at 8:41am



Joy Saxby Lessard Yes

Like · Reply · Message · March 19 at 8:49am



Karen Janoski # yes, NH resident
























Like · Reply · Message · March 19 at 9:06am

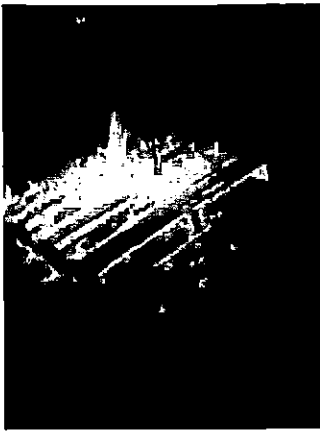


Dan LaCrosse #yes

Like · Reply · Message · March 19 at 9:08am

Chris Costa #yes, I'd shoot it down too

-  Like · Reply · Message · March 19 at 9:14am
 -  **Bob Lucas shoot em down**
Like · Reply · Message · March 19 at 9:21am
 -  **to Pike #no NH resident. But they should have to keep a reasonable distance above houses**
Like · Reply · Message · March 19 at 9:24am · Edited
 -  **Kenneth Quinn Jr Yes.**
Like · Reply · Message · March 19 at 9:28am
 -  **Ann Chiampa YES...from NH.**
Like · Reply · Message · March 19 at 9:53am · Edited
 -  **Ben Arthur #YES !!!! (NH Res.)**
AND if I go out in my yard and ones spying on my daughter sunbathing... I CAN SHOOT IT DOWN without any legal concerns!
Like · Reply · Message · March 19 at 10:08am
 -  **Kevin Gathercole #yes**
Like · Reply · Message · March 19 at 10:26am
 -  **Ray Gagnon #yes**
Like · Reply · Message · March 19 at 10:33am
 -  **Cody LaReau Absolutely technology is crazy now days no privacy at all. Drones, social media, hackers activating web cams on TVs, phones, computers and tablets without the user knowing.**
Like · Reply · Message · March 19 at 10:42am
 -  **Sandra Comee-Scott YES !!!!!!!!!!!**
Like · Reply · Message · March 19 at 10:47am
 -  **Kimberly Alycia Vogel #yes i love drones, but they have no business being used to violate people's private lives...**
Like · Reply · Message · 2 · March 19 at 11:07am
 -  **Tina Lougee Should never be on or near private landgo to parks or your own land OMLY.....NH resident**
Like · Reply · Message · March 19 at 11:21am
 -  **Gayle Brescia #Yes. NH Resident**
Like · Reply · Message · March 19 at 11:23am · Edited
 -  **Dan LaFontaine #yes, NH resident.**
Like · Reply · Message · March 19 at 11:25am
 -  **Denis Corbeil YES# and that should include the Federal government ,State and local police .**
Like · Reply · Message · 1 · March 19 at 11:34am
 -  **Lucy Pivonka #No Resident. No one owns the air.**
Like · Reply · Message · March 19 at 11:35am
 -  **Michael R Borelli As a property owner, you legally own 500' of the space above your property. So the drones would be trespassing if they crossed your property lines and were flying under 500'.**
Like · Reply · Message · 3 · March 19 at 11:52am
 -  **Lucy Pivonka No one owns air, get over yourself.**
Like · Reply · Message · March 19 at 11:58am
 -  **Lucy Pivonka Aren't you clever with your useless comment.**
Like · Reply · Message · March 19 at 2:56pm
- 
-  **Bonnie Smith resident, we have a right to privacy**
Like · Reply · Message · 1 · March 19 at 11:46am
 -  **Susan Wetherell Yes**
Like · Reply · Message · March 19 at 12:53pm
 -  **Jim Levierge It's illegal ! Here's one I got with a potato launcher ! If you respect your wife daughter and grand kids like I do , blast away and burn them . No fly zone above my house , you were warned**



Like · Reply · Message · 2 · March 19 at 12:57pm



Cheryl Perkins #yes

Like · Reply · Message · March 19 at 1:19pm



Deborah Turnbull #yes NH resident Spy cameras

Like · Reply · Message · March 19 at 2:39pm



Julie Ann #yes

Like · Reply · Message · March 19 at 2:46pm



Ryan Warner #yes prohibit drones

Like · Reply · Message · March 19 at 2:50pm



Danny Holloway Fly one over my property..... I need the practice.

Like · Reply · Message · 3 · March 19 at 2:52pm



Edward Paquette Yes! I see a drone flying over my home area, woods are ok, but near or around my house, and I don't know who's flying it. Things will happen.

Like · Reply · Message · 1 · March 19 at 3:00pm



Linda P Small #yes

Like · Reply · Message · March 19 at 3:18pm



Robert M Hueston If they have the right to fly their drones over my property with a camera , then I have the right to shot them done protecting my privacy and my property security. So. Let em fly. I'm locked & loaded.

Like · Reply · Message · 7 · March 19 at 4:25pm



Judy Bellamy I agree, Bob ... I can always use more target practice. 😊

Like · Reply · Message · March 19 at 7:06pm

CC BY
LFD A

Write a reply...



Roger Tremblay Stay away from my yard, i will shoot

Like · Reply · Message · 3 · March 19 at 5:43pm



Sharon Collins Yes it is a violation of our privacy rights.

Like · Reply · Message · 1 · March 19 at 6:04pm



Phil Stetson NH Yes.

Like · Reply · Message · March 19 at 6:04pm



Kari Walker #yes nh resident

Like · Reply · Message · March 19 at 6:19pm



Leidy Rivas # yes

Like · Reply · Message · March 19 at 6:24pm



Rani Merryman #yes #NHresident

Like · Reply · Message · March 19 at 6:39pm



Justin Keith It depends on how high; property rights don't extend into space.

Like · Reply · Message · 2 · March 19 at 6:43pm

Jim Shaw #yes nh.resident

15



Like · Reply · Message · March 19 at 7:25pm



Stephen Detsch #dangerous Legislation should be careful on this. Taking pics above private property regardless of ownership should be ok. Taking video of someone on their property should be banned; keywords very important here. Hard to prove but I've flown over god knows whose property to get shots of a sunset / sunrise for instance; but someone shining a camera in another person's window would be completely unacceptable, creepy and hopefully illegal.

Like · Reply · Message · 4 · March 19 at 8:53pm



Lauren Elizabeth LaMarsh Exactly this!!

Like · Reply · Message · 1 · March 20 at 10:11am



Write a reply...



David Williams Yes

Like · Reply · Message · March 19 at 9:01pm



Allison Dixon #yes

Like · Reply · Message · March 19 at 9:07pm



Manny Cabral Yes Nashua NH

Like · Reply · Message · March 19 at 9:29pm



Joseph Sousa #NO what're U doin there?

Like · Reply · Message · March 19 at 10:35pm



Rebecca Chase #yes. NH resident.

Like · Reply · Message · March 19 at 10:40pm



Jason Sheehan #no i own a drone with camera i fly it down my street all the time

Like · Reply · Message · March 19 at 11:06pm



James Marshall I'll shoot you down if you invade my privacy!!

Like · Reply · Message · 1 · March 20 at 9:32am



Scott Johnson Me too

Like · Reply · Message · 1 · March 20 at 10:39am



Joanne Mathieu Me 3

Like · Reply · Message · March 20 at 10:45am



Elliot Konner Me 4....keep your shit outta my airspace.

Like · Reply · Message · 1 · March 20 at 11:44am



Write a reply...



Valerie Dickinson Yes

Like · Reply · Message · March 19 at 11:36pm



Jon Johnson #yes nh resident

Like · Reply · Message · March 20 at 12:58am



Mark Drake #YES

Like · Reply · Message · March 20 at 2:11am



Jean Curtis No drones over any private property!!!!

Like · Reply · Message · March 20 at 9:24am



James Marshall #yes

Like · Reply · Message · March 20 at 9:28am



Richard M Wheeler Sr. i am nh res. n i say no that is like being a peeping tom if you ask me

Like · Reply · Message · 1 · March 20 at 10:03am



Casey Jones Walton # yes Resident Sullivan co.

Like · Reply · Message · March 20 at 10:04am



Matthew Witham #YES! And if you see one doing so, you should be allowed to shoot the sucker down!

Like · Reply · Message · 7 · March 20 at 10:09am

Mike The-machinist #yes



Like · Reply · Message · 1 · March 20 at 10:15am



Larry Ayer They'll be awesome for target practice !

Like · Reply · Message · 6 · March 20 at 10:22am



Daniel Scripto Jelley #yes but please include government drones as well!

Like · Reply · Message · 3 · March 20 at 10:38am



Amy Spaulding Boisvert Laurendeau #yes

Like · Reply · Message · March 20 at 10:49am



Michael V. Pelletier "In December, a fact sheet was issued by the chief counsel's office for all state and local agencies that might be seeking to create new laws regards the subject of drones. In this fact sheet is a breakdown of the FAA recommendations. It also spells that consultation with the FAA is paramount before the issuance of any new laws. The fact sheet also pronounces what is regarded as under the authority of the FAA and what is not, concluding that new laws "should be consistent with the extensive federal statutory and regulatory framework pertaining to control of the airspace" which is already under the purview of the federal body."

<http://trackimo.com/new-drone-laws-may-disagree-faa-rules/>

Like · Reply · Message · 1 · March 20 at 10:53am



Christopher Tancrede #yes There is no way this should be allowed. Privacy matters.

Like · Reply · Message · 1 · March 20 at 10:58am



Mary Boulanger If a drone were to appear overhead on my property expect it to become disabled

Like · Reply · Message · 1 · March 20 at 11:01am



Corinne Joly #yes

Like · Reply · Message · March 20 at 11:08am



Jesse Mixer Resident of NH #yes

Like · Reply · Message · March 20 at 11:20am



Beth Woolhouse Berry #YES

Like · Reply · Message · March 20 at 11:20am



Joan Parker Osborne #yes NH resident

Like · Reply · Message · March 20 at 11:25am



Matthew Baker #no, but make it legal to shoot them down or confiscate them when trespassing on your property.

Like · Reply · Message · 2 · March 20 at 11:33am



Kevin J. Rukstela #no nh resident. But if you're flying a drone over someone's property and they shoot it down, that should be fair game.

On the other hand, police should not be allowed to use drones for any filming without a warrant on that specific person.

Like · Reply · Message · 2 · March 20 at 11:34am



Christopher Cramb Sr. #yes

Like · Reply · Message · March 20 at 11:44am



Elliot Konner #yes...NH resident. Your drone is my target...and im a pretty good shot. Stay away from my airspace.

Like · Reply · Message · 3 · March 20 at 11:46am



Suzana M Killeen #NO

Like · Reply · Message · March 20 at 11:49am



Clara Bell #yes

Like · Reply · Message · March 20 at 11:56am



Dwight Lyon #Yes as a NH Resident Drones have no business over my Property! And I would also like to see the bill expanded to those para-sails that fly low over my Property!!

Like · Reply · Message · 1 · March 20 at 11:59am



Jeremy Sebestyen #yes

Like · Reply · Message · March 20 at 11:59am



Mark Westphal Big Brother will never stop watching you no matter what your desires maybe, as a citizen you are nothing more then cannon fodder for the feds, you don't own the airspace over your legal property or the mineral rights below according to Uncle Sam

Like · Reply · Message · March 20 at 11:59am

Jim Somerville #no . Allowable but inadmissible in a court of law.

7
1



Like · Reply · Message · 1 · March 20 at 12:06pm



Keri S DuPrey #yes NH resident

Like · Reply · Message · March 20 at 12:13pm



Mat O'connor The US government does it!

Like · Reply · Message · March 20 at 12:27pm



Corey Burrell #no google does similar stuff all the time. They take pictures of public and private places for their street views.

Like · Reply · Message · March 20 at 12:33pm



Eric Tirico Not buzzing over private property.... Those are satellite images.

Like · Reply · Message · March 20 at 1:03pm



Corey Burrell Street view....

Like · Reply · Message · March 20 at 1:13pm



Write a reply...



Mike Neuliep You dont own the airspace over your property. And now since all drones are required to be registered with the FAA, it's a registered aircraft. Which means....if you shoot down a drone, it's just like shooting at a 747 or a helicopter. You go to federal jail....

Like · Reply · Message · 1 · March 20 at 12:34pm



Chrissy Hughes Can't really prove it if you can't go on someone's property now can you?

Like · Reply · Message · 1 · March 20 at 1:08pm



Mike Neuliep most drones have cameras that stream video back real time. It's impossible to know if you're being video recorded when you shoot it down. too risky

Like · Reply · Message · March 20 at 1:16pm



Christina Fintonis Chigas Lmao and you really think pervs and other criminals are registering their drone's!

Like · Reply · Message · 1 · March 20 at 2:03pm



Mike Neuliep criminals are incredibly stupid

Like · Reply · Message · March 20 at 2:03pm



Bridie Pearce Uhm criminals own guns too.

I own and am registered for guns my family is registered to Fly Racing drones. NOT the spying kind, but they do allow FPV aka first person view.

I think if you are a Gun owner you should be fighting for Drone racing rights too.

Remember Live Free or Die!

Like · Reply · Message · March 20 at 6:58pm



Write a reply...



Bruce Cory #yes 03868 resident

Like · Reply · Message · March 20 at 12:38pm



Bob Richards #no

Like · Reply · Message · March 20 at 12:48pm



Bob Richards I don't mind it as long as they don't mind it ahum crashing

Like · Reply · Message · 3 · March 20 at 12:49pm



Steve Babine If it is allowed, shooting them down should be allowed also. If it is reachable with bird shot it's too close in my opinion. No need for it that close.

Like · Reply · Message · 4 · March 20 at 12:54pm · Edited



Jody Gaudet No limit, you only rent real estate from the government, you never "own" it.

Like · Reply · Message · March 20 at 12:51pm

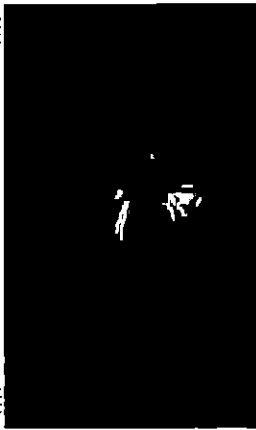


Scott Burgess #yes nh resident. I had a drowne crash in my backyard, when my young nephew went to pick it up it tried to fly away. Had my nephew gotten there first he could have lost some fingers!

Like · Reply · Message · 1 · March 20 at 12:57pm



Scott Burgess



Like · Reply · Message · March 20 at 12:58pm

CCNH
LFDA

Write a reply...



Melanie R. Janisch #yes nh res

Like · Reply · Message · March 20 at 1:05pm



Kristi Daigle #yes

Like · Reply · Message · March 20 at 1:13pm



Roy Sargent Robin Anthony D'Agostino I'm interested in your opinion here brother cause I can see both sides.

Like · Reply · Message · March 20 at 1:21pm



Robin Anthony D'Agostino I say no.

Like · Reply · Message · March 20 at 3:18pm



Roy Sargent So you'd have no problem with someone having a drone over your home potentially photographing what you're doing without permission?

Like · Reply · Message · 1 · March 20 at 3:51pm



Robin Anthony D'Agostino How would i know? Besides seeing the drone? Just because a person is flying using the camera and it by law has to be within line of sight so one would need a spotter. How would the target even have a clue whether or not im taking pics or video or just flying around? Most drones that hobbieist have dont have a super zoom on them. I think mine has 2x.

No i wouldnt mind, id prolly flip them the bird and go about my day

Like · Reply · Message · March 20 at 6:29pm

CCNH
LFDA

Write a reply...



Dianne Chatfield Can we shoot them down in live free NH?

Like · Reply · Message · 1 · March 20 at 1:39pm



Stevie Balint #YES! NH Resident. HOW IS THIS EVEN A QUESTION?!?!?!?!?!?

Like · Reply · Message · March 20 at 1:48pm



Stevie Balint THAT IS TRESPASSING AND SPYING!!!

Like · Reply · Message · 1 · March 20 at 1:49pm



Raymond Le Floch were i to have a drone flying over my property the shotgun is coming out!!

Like · Reply · Message · 3 · March 20 at 1:53pm



Christina Fintonis Chigas #yes NH resident

Like · Reply · Message · March 20 at 2:01pm



Emily G Rose #yes #NHResident - It would be an invasion of privacy, like a neighbor watching you sunbathe through, or over, the fence.

Like · Reply · Message · 2 · March 20 at 2:14pm



Juan Mojica ah #YES ... NH resident here ..

Like · Reply · Message · March 20 at 2:20pm



Karen Bergeron #yes NH resident

Like · Reply · Message · March 20 at 2:38pm

Jim Clements Or shoot them down

-  Like · Reply · Message · 4 · March 20 at 2:53pm
-  **Ron Sylvestre** well ya
Like · Reply · Message · March 20 at 2:58pm
-  **Patricia Howe** #Yes
Like · Reply · Message · March 20 at 3:01pm
-  **Stephen Nugent** Skeet
Like · Reply · Message · 2 · March 20 at 3:13pm
-  **David Berman** It is unacceptable to have drones come over my property and take pictures. And if I see it it will be shot down
Like · Reply · Message · 2 · March 20 at 3:16pm
-  **Robin Anthony D'Agostino** #no from southern nh. I feel it should only be a problem if used for money making. The height above the ground will generally be above 120' altitude and you'd be able to hear the drone. I dont think its common at all as these drones arent cheap and the heavier they are the louder they are
Like · Reply · Message · March 20 at 3:17pm
-  **John Crooks** #Yes NH resident 03823
Like · Reply · Message · March 20 at 3:27pm
-  **Carolyn Grant** I have a recently 'downed' drone that was hovering outside the sliding glass door.. it is fairly remote here, but any peeping drones will be taken down...Will not be tolerated.
Like · Reply · Message · 3 · March 20 at 3:27pm
-  **Sean Warren** #no let em fly ya pansies
Like · Reply · Message · March 20 at 3:31pm
-  **Sheila Kelley** I'm a 1/4 mile from the airport, the law is no drones this close to the airport.
Like · Reply · Message · March 20 at 3:35pm
-  **Benjamin Mylott** Live free and spy
Like · Reply · Message · March 20 at 3:45pm
-  **Karen Fei** #yes NH resident. Obviously this would lead not only to violations of privacy but also a safety hazard.
Like · Reply · Message · 1 · March 20 at 3:47pm
-  **Paul R Johnson** shoot it....
Like · Reply · Message · 2 · March 20 at 4:04pm
-  **Sonya Hinton** #yes #nhresident why would this ever be okay.
Like · Reply · Message · 2 · March 20 at 4:06pm
-  **Darren Carter** #yes.... NH resident... If I see one over my property it will be shot down... Period !!
Like · Reply · Message · 2 · March 20 at 4:11pm
-  **Michael O'Brien** Pull!
Like · Reply · Message · 2 · March 20 at 4:17pm
-  **Darby LaBerge** # yes resident .
Like · Reply · Message · March 20 at 4:19pm
-  **Barbara Block** Never, we have one hovering over us now
Like · Reply · Message · March 20 at 4:19pm
-  **Richard M Wheeler Sr.** invasion of private property if you ask me ill shoot the f--king thing
Like · Reply · Message · 1 · March 20 at 4:31pm
-  **Richard M Wheeler Sr.** what if some one is sun bathing in the nude dont need perves spying might as well peek in they're windows no different now is it
Like · Reply · Message · 2 · March 20 at 4:33pm · Edited
-  **Sharon Collins** Shoot them down, they are scanning your property and looking for a way to rob you.
Like · Reply · Message · 3 · March 20 at 4:38pm
-  **Keith Hoyt** #Yes, if I need permission to fly a drone over or even near government owned properties, they need one to fly over mine.
(US Citizens only)
Like · Reply · Message · 3 · March 20 at 4:41pm
-  **Chris Fowler** #yes NH
Like · Reply · Message · March 20 at 4:41pm



Kirsten DeCormier #yes

Like · Reply · Message · March 20 at 5:05pm



Matthew Lyons might get shot down up here in north country nh..big bug in the air

Like · Reply · Message · 1 · March 20 at 5:12pm



Sarah Courchaine #yes #nhnative

Like · Reply · Message · March 20 at 5:18pm



Diana Fannion Yes, NH resident, absolutely and we shoot be allowed to shoot them out of the sky.

Like · Reply · Message · 1 · March 20 at 5:25pm · Edited



Dennis Dow #NO NH I like the target practice

Like · Reply · Message · March 20 at 5:27pm



Mike Nason Noope

Like · Reply · Message · March 20 at 5:27pm



Lee Lemoine #no

Like · Reply · Message · March 20 at 5:28pm



Tyler C Shibles #yes NH

Like · Reply · Message · March 20 at 5:33pm



Eric-Jennifer Ives #no, you don't shoot down helicopters. Both are protected by the FAA. NH resident.

Like · Reply · Message · 1 · March 20 at 5:37pm



Joy Saxby Lessard Yes! Please! Unless there's an emergency or looking for a fugitive possibly. Even so, property owners should be made aware.

Like · Reply · Message · 2 · March 20 at 5:45pm



Robin Orourke #yes

Like · Reply · Message · March 20 at 5:48pm



Phillip Dyer #no I believe current laws already address this. You should own a certain height of airspace over your property. And if the drones are super high, like a plane, then it should be common area.

Like · Reply · Message · 1 · March 20 at 6:25pm



Greg Barthol Droned should be able to "pass through" private airspace... but not hover

Like · Reply · Message · 1 · March 20 at 6:25pm



Sean O'Connell #yes

Like · Reply · Message · March 20 at 6:28pm



Bee LaPointe NO!

Like · Reply · Message · March 20 at 6:40pm



Wayne Randall #No NH resident. We're not seeing widespread use of drones and frankly we can ensure privacy without controlling the air.

Like · Reply · Message · 1 · March 20 at 6:42pm



Tim Tarnner The government already does... Wasn't a problem then, why now?

Like · Reply · Message · March 20 at 6:51pm



Bridie Pearce For those who love their guns. . . understand this. . . there are different kinds of drones. The ones we fly are racing drones. Not built for large cameras. Just big enough for FPV.

So if I see gun enthusiasts against this I will call you a hypocrite!

I am a Gun owning Conceal Carry Democrat Who also flies drones!!! Get educated!!!

Like · Reply · Message · March 20 at 6:55pm



Rich Zore #yes, prohibited. Brookline, NH

Like · Reply · Message · 1 · March 20 at 6:59pm · Edited



Ryan Bartlett #yes. I won't hesitate to shoot one down if they are flying around my house or near my children.

Like · Reply · Message · 2 · March 20 at 6:59pm



Lydia Aaron NH resident. If they chase my horses I will shoot them down. It is also a violation of privacy.

Like · Reply · Message · 2 · March 20 at 7:05pm



Lucinda Hollingsworth Boutin #yes if they don't want to be shot. With something legal of course.

Like · Reply · Message · March 20 at 7:13pm

21



Daniel Hebert #YES NH resident.

Like · Reply · Message · March 20 at 7:28pm



Rhoda Staff #yes NH resident. How would anybody know who was controlling a drone or why it was over their property ? There should be no drones without permission.

Like · Reply · Message · March 20 at 7:31pm · Edited



Thom Keith Prohibited? I don't think that should be necessary. That said, if you feel the need to fly your drone over my private property and take pictures without my permission, I reserve the right to bring it down, by any means necessary.

Like · Reply · Message · 2 · March 20 at 7:37pm



Richard LeFrance #NO Nh resident. I need the target practice!! Shoot them down!!!

Like · Reply · Message · March 20 at 7:46pm

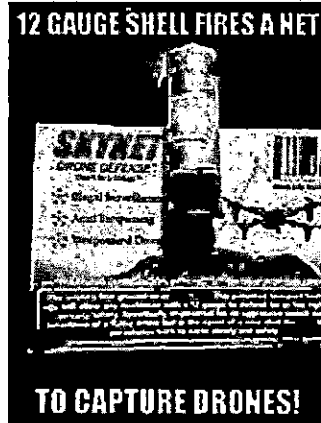


Ann Rowe Towle #NO NH resident

Like · Reply · Message · March 20 at 7:53pm · Edited



Brandon Laurie Here's your solution



Like · Reply · Message · 3 · March 20 at 7:56pm



Annette L Hicks #Yes NH Resident. And it should be legally to take them down for trespassing.

Like · Reply · Message · March 20 at 8:01pm



Susan Furey #YES #NHRESIDENT

Like · Reply · Message · March 20 at 8:04pm



David Smith What isn't Private Property. Everything is owned

Like · Reply · Message · 1 · March 20 at 8:04pm



Raymond Labonte NH resident yes absolutely and it should be legal to take them down

Like · Reply · Message · March 20 at 8:06pm



Erik Makinen Google earth takes pictures all day long... I say regulate flights to avoid accidental damage and injury plus make them carry liability insurance for \$1000000.. that will clear most of the problem.

Like · Reply · Message · March 20 at 8:08pm



Max Abramson #Yes, New Hampshire inhabitant. If it would be illegal for private citizens to do, why should the government be able to do it?

Like · Reply · Message · March 20 at 8:09pm



Rick Jones When I get a shot gun and I see one flies over my house I'm shooting it down. It's a Constitutional right of privacy. I would take it all the way to the Supreme Court.

Like · Reply · Message · 2 · March 20 at 8:17pm



Julie Ann If a drone hovers to close to my house... bye bye drone

Like · Reply · Message · 1 · March 20 at 8:38pm



Sharon Moses Yes

Like · Reply · Message · 1 · March 20 at 8:43pm



Kelly Hill Harris #Yes, it's an invasion of privacy.

Like · Reply · Message · 1 · March 20 at 8:48pm · Edited





Seamus O'connor #YES!!


Like · Reply · Message · March 20 at 8:51pm


Ryan Daniel Hammond #yes. You take pictures I take shots. Get off my property


 Like · Reply · Message · 1 · March 20 at 9:05pm


 **Diane Cooper** Yes NH resident
Like · Reply · Message · March 20 at 9:07pm


 **Nancy Vachon** Yes
Like · Reply · Message · March 20 at 9:11pm

 **Bob Moore** #Yes # NH Resident
Like · Reply · Message · March 20 at 9:13pm

 **Alicia Grant** Ok, but how will anyone know who the owner of the drone is to have charges brought against them? Sounds like unenforceable legislation aka a waste of time.
Like · Reply · Message · 2 · March 20 at 9:33pm


 **Ray Be** The drones are supposed to be registered
Like · Reply · Message · March 20 at 11:43pm


 **Alicia Grant** Yes. But how are u going to know who they are registered to. You see it. U call the cops. Drone flies away. Lol
Like · Reply · Message · March 21 at 12:00am


 **Alicia Grant** And the key word words are "supposed to".
Like · Reply · Message · March 21 at 12:01am

CCRN
LFDA


Write a reply...


 **Kelley Goodwin** #Yes NH resident
This is no different, in my opinion, than a Peeping Tom. Another person doesn't have the right to use surveillance on my property.
Like · Reply · Message · 1 · March 20 at 9:41pm · Edited


 **Joshua Marquis** Yes
Like · Reply · Message · March 20 at 9:40pm


 **Donna Sturdevant Edgar** #yes NH resident. We are all entitled to our privacy on our own property.
Like · Reply · Message · 1 · March 20 at 9:42pm


 **Tony L Taylor** #yes NH Resident
Like · Reply · Message · March 20 at 9:42pm

 **Jason Page** #Yes NH resident. It's an invasion of privacy.
Like · Reply · Message · 1 · March 20 at 9:53pm

 **Richard Gribble** #yes, prohibit, Brookline, NH
Like · Reply · Message · March 20 at 9:57pm


 **Chrissy Gage** #Yes NH resident. major invasion of privacy
Like · Reply · Message · March 20 at 9:57pm

 **Mike Girard** Steve
Like · Reply · Message · March 20 at 10:05pm


 **Steve Girard** Obviously the lady under me hasn't had one in her window at night
Like · Reply · Message · 1 · March 20 at 10:35pm

CCRN
LFDA


Write a reply...

 **Mary Miller** Nope!
Like · Reply · Message · March 20 at 10:14pm

 **Dave Juckett** Yeah
Like · Reply · Message · March 20 at 10:19pm

 **Donna Rhodes** Of course they should not invade privacy but now that you opened the technological doors of invasion, how do you stop it?!

 **Joe Sereni** When on your property a shot gun should work just fine
Like · Reply · Message · March 20 at 10:36pm

 **Donna Rhodes** LOL Joe- I was just thinking that myself!
Like · Reply · Message · March 20 at 10:36pm

23

Write a reply...

**JD Taft** #Yes especially for government local, state, federal and anyone. NH resident.

Like · Reply · Message · 1 · March 20 at 10:31pm

**Joe Sereni** No way they should be able to video private property, gilmannton nh

Like · Reply · Message · 1 · March 20 at 10:35pm

**Christine Burke** Yes

Like · Reply · Message · March 20 at 10:38pm

**Matthew Tropp** As a drone owner regardless of the law I think it's wrong to fly into someone's yard, private property, etc...(below 100 feet) whereas in public areas everyone is fair game if they happen to land a spot in my video. Just use common sense and everyone would be fine.

Like · Reply · Message · 4 · March 20 at 10:55pm

**James Spencer** people are going to have to fight for their personal airspace? doesn't sound good

Like · Reply · Message · March 20 at 10:58pm

**Lynda Gayle Hallock** no!!!!!!!!!!!! that is why we call it PRIVATE PROPERTY!!!!!!!!!!!!

Like · Reply · Message · March 20 at 10:58pm

**Jordan Glines** #no . laws are already in place. prohibiting flight too low to the ground when flying over private property. No need for any extra regulation

Like · Reply · Message · 1 · March 20 at 11:29pm

**Mike Palermo** #Yes

Like · Reply · Message · March 20 at 11:32pm

**John E. Gautier** #no don't do anything illegal, parade around bare ass and if you need to dance naked in your home pull the shade or close the curtain. Common sense !

Like · Reply · Message · 1 · March 20 at 11:33pm

**Jamie Woods** #no

Like · Reply · Message · March 20 at 11:35pm

**Brian Lumb** YES

Like · Reply · Message · March 20 at 11:49pm

**Trina Bell** #yes NH resident...

Like · Reply · Message · March 21 at 12:04am

**Seth Farmer** #No, I'm a NH resident and I build and fly drones. I've never understood droneaphobia. It's a completely unbased fear. If someone is genuinely a deviant, they're going to use Facebook and a telephoto lens to spy on that rusting project car in the back yard. There is nothing sneaky or discrete about drones and they have a 20 minute flight time, max. Everyone can fly over your house with interweb maps anyway and the air is not our private property. It's owned and operated by the FAA. That's why drones require a federal registration number. I've never personally met a drone pilot who didn't take FAA regulations and people's safety seriously (not to mention their gear, flying over stuff that doesn't belong to you makes it difficult to retrieve). I personally feel like if someone is intentionally flying within rock throwing distance of house, they deserve to lose their drone and I think harassment laws would apply for someone using a drone to be a nuisance. This State shouldn't make relatively un-enforceable blanket regulations, effecting a vast majority of innocent enthusiasts due to fears, feelings and the few. The honest truth is, you are way more interested in drones than the operator is in you. If you're that interested in drones, go get one! They are way more fun the the RC cars you used to like! If you happen to go into the air above my house, so be it. Just please be considerate and respect my privacy.

Like · Reply · Message · 3 · March 21 at 12:23am

**Eric-Jennifer Ives** Good comment, I fly too (phantom 3 pro) given the negative light a very few operators have put on the hobby, and the way the news reports it I'm not to suprised at the over reaction people have. I have started calling them UAV'S, (like the FAA calls them) sounds a lot less ominous, and people don't immediately think drone strike.

Like · Reply · Message · March 21 at 6:56am

**Seth Farmer** That's a good idea. People are associating drones with military or big brother and that's simply not what they are used for in a private and commercial sector. No one sees a kid flying a kite and instinctively grabs a gun. No one looks at a tripod and wants to shoot it. But a mustache, sporting millennial wants an airborne pan shot for their YouTube channel and NH runs to the basement for an AK-47!

Like · Reply · Message · March 21 at 8:37am · Edited

Write a reply...

24



Mark Milliken #yes shoot it down

Like · Reply · Message · 2 · March 21 at 4:28am



Keith Menzies Just shoot em down. It's fun and easy target practice.

Like · Reply · Message · 1 · March 21 at 5:28am



Mary Hodgman #YES NH Resident.

Like · Reply · Message · 1 · March 21 at 6:04am



Tony Jankowski #no

Like · Reply · Message · March 21 at 6:04am



Tony Jankowski #mineshootback

Like · Reply · Message · 2 · March 21 at 6:05am



Robert Belanger No this is still America. Planes flyover.

Like · Reply · Message · March 21 at 6:09am



Robert Belanger Carol O'Brien

As Hillary would say. "What difference does it make?" Doing something illegal?

Like · Reply · Message · March 21 at 8:44am



Write a reply...



Jonathan Dodge Would not need regulations if there were morals and common sense

Like · Reply · Message · 2 · March 21 at 6:10am



Laura Krenzel-Powers #yes including local, state, and federal government and there should be clear definition, over is one thing, near or recording inside a residence is another

Like · Reply · Message · 1 · March 21 at 6:32am · Edited



John Neveux #yes

Like · Reply · Message · March 21 at 6:26am



James D. Jarvis #yes this nhresident feels drones should be prohibited from taking pictures on or remotely observing on private property without permission. drones should be prohibited from repeatedly crossing private property as well. You can't drive a truck through my backyard. without my permission, you shouldn't be able to fly a drone at low altitude over the same property.

Like · Reply · Message · 2 · March 21 at 6:43am · Edited



Andrew Wood I would even be inclined to raise the minimum altitude to something like 500 ft. I am a huge tech person and love what drones can do for the world, but I am also aware of the harm they can do. This, I believe, will help to mitigate that harm. #yes Brookfield, NH.

Like · Reply · Message · 2 · March 21 at 6:52am



Larry George shoot it down

Like · Reply · Message · March 21 at 6:54am



Ken Knapp bang

Like · Reply · Message · March 21 at 7:00am



Jeff Rowan To what extent? What altitude? Is a google earth satellite in orbit technically breaking the law? I think we should stick with the laws that are currently held. 500ft in rural areas and 1000 above ground level and 2000 feet laterally from any buildings in an urban area. These rules already exist in the aviation regulations. #yes

Like · Reply · Message · 1 · March 21 at 7:02am · Edited



Ray Freitas Just shoot it down..

Like · Reply · Message · March 21 at 7:05am



Mark Scott And go to fail...

Like · Reply · Message · March 21 at 7:41am



Ray Freitas I'll fight that battle in court.

Like · Reply · Message · March 21 at 9:54am



Write a reply...



Brandon Klardie Go for it. Still shooting it down if I see one...

Like · Reply · Message · March 21 at 7:21am

Alfred Vega #NO. NH resident

25



Like · Reply · Message · March 21 at 7:36am



Jack Mignanelli I'd shoot it out of the sky
Like · Reply · Message · March 21 at 7:48am



Daryl Gold There's a word for that...illegal.
Like · Reply · Message · March 21 at 9:34am



Write a reply...



Dennis Francoeur Jr. Looks like time for skeet practice
Like · Reply · Message · 1 · March 21 at 7:50am



Don Archambeault #yes
Like · Reply · Message · March 21 at 7:53am



James Santino Luiso #Yes
Like · Reply · Message · March 21 at 8:00am



Esther Dugan YES
Like · Reply · Message · March 21 at 8:02am



Joseph LaBarre #yes
Like · Reply · Message · March 21 at 8:02am



Gene K Sawyer Yes
Like · Reply · Message · March 21 at 8:05am



Jeff Swett # yes, goffstown
Like · Reply · Message · March 21 at 8:15am



Brian Demyanovich No
Like · Reply · Message · March 21 at 8:36am



Carol O'Brien Yes, peeping toms need to stay on their own property. NH resident
Like · Reply · Message · March 21 at 8:37am



Brian Demyanovich No drone fly for miles and miles. It would be impossible to fly a drone without seeing somebody else's property. Also the government set up spy cameras in space at traffic intersections sidewalks beaches everywhere get use to it
Like · Reply · Message · March 21 at 8:39am · Edited



Jim Valtz I'll be fined more than once for shortening the flight of any drone within 500 feet of my property, with my shotgun.
Like · Reply · Message · March 21 at 8:46am



Dan Grimes #yes
Like · Reply · Message · March 21 at 8:48am



Bill Colangeli 12ga. 3" mag.....
Like · Reply · Message · 1 · March 21 at 9:01am



Kirt Bonnevie #no & yes
Like · Reply · Message · March 21 at 9:20am



Bill Carlsen Drones have no place on my property.
Like · Reply · Message · March 21 at 9:33am



Lisa Superior #yes
Like · Reply · Message · March 21 at 11:46am



Ravenel Bennett yes
Like · Reply · Message · March 21 at 11:54am



Arlene Creeden Yes, I think it is OK if they do not have cameras but if they invade my privacy by taking picture of me working or sun bathing I do feel that is an invasion of my privacy and I should have rights too. Look at all the personal picture the military men shared and they never get off Facebook or other internet sights once they are posted.
Like · Reply · Message · March 21 at 12:55pm



Jocelyn Gallant NH should have term limits in the State Legislators it has made career politicians they should not be in the legislator no more then 4 years. NH should get rid of the big lobbyist in this state. Once you leave the State legislator or congress then you should not be allowed to lobby . It is time to pass term limits in Concord and Washington,
Like · Reply · Message · March 23 at 3:15pm



Patricia Stafford Bentley How did our lives even come to this were we even have to worry or be concerned about a drone over our own home spying on us. Privacy is nice I pay for my home and all its taxes and how dare anything or anyone think they have the right invade my life.

Like · Reply · Message · March 25 at 9:22pm



Ken Delage No

Like · Reply · Message · March 26 at 10:59am



Mary J Beevers Yes

Like · Reply · Message · March 26 at 6:38pm

TITLE LXII

CRIMINAL CODE

4

CHAPTER 644

BREACHES OF THE PEACE AND RELATED OFFENSES

Section 644:9

644:9 Violation of Privacy. –

I. A person is guilty of a class A misdemeanor if such person unlawfully and without the consent of the persons entitled to privacy therein, installs or uses:

(a) Any device for the purpose of observing, photographing, recording, amplifying, broadcasting, or in any way transmitting images or sounds of the private body parts of a person including the genitalia, buttocks, or female breasts, or a person's body underneath that person's clothing; or

(b) In any private place, any device for the purpose of observing, photographing, recording, amplifying or broadcasting, or in any way transmitting images or sounds in such place; or

(c) Outside a private place, any device for the purpose of hearing, recording, amplifying, broadcasting, observing, or in any way transmitting images, location, movement, or sounds originating in such place which would not ordinarily be audible, visible, or comprehensible outside such place.

II. As used in this section, "private place" means a place where one may reasonably expect to be safe from surveillance including public restrooms, locker rooms, the interior of one's dwelling place, or any place where a person's private body parts including genitalia, buttocks, or female breasts may be exposed.

III. A person is guilty of a class A misdemeanor if that person knowingly disseminates or causes the dissemination of any photograph or video recording of himself or herself engaging in sexual activity with another person without the express consent of the other person or persons who appear in the photograph or videotape. In this paragraph, "disseminate" and "sexual activity" shall have the same meaning as in RSA 649-A:2.

III-a. A person is guilty of a misdemeanor if, for the purpose of arousing or gratifying the person's sexual desire, he or she knowingly views another person, without that person's knowledge or consent, in a place where one would have a reasonable expectation of privacy. For purposes of this paragraph, "views" means looking at another person with the unaided eye or any device intended to improve visual acuity.

IV. A person is guilty of a misdemeanor if such person knowingly enters any residential curtilage, as defined in RSA 627:9, I, or any other private place as defined in paragraph II of this section, without lawful authority and looks into the residential structure thereon or other private place with no legitimate purpose.

V. Paragraphs I and II shall not be construed to impair or limit any otherwise lawful activities of law enforcement personnel, nor are paragraphs I and II intended to limit employees of governmental agencies or other entities, public or private, who, in the course and scope of their employment and supported by articulable suspicion, attempt to capture any type of visual image, sound recording, or other physical impression of a person during an investigation, surveillance, or monitoring of conduct to obtain evidence of suspected illegal activity, the suspected violation of any administrative rule or regulation, a suspected fraudulent insurance claim, or any other suspected fraudulent conduct or activity involving a violation of law, or pattern of business practices adversely affecting the public health or safety.

Source. 1971, 518:1. 1995, 280:9. 2003, 256:1. 2004, 212:1, 2. 2005, 264:1. 2008, 334:7. 2012, 76:1, eff. Jan. 1, 2013.

5

Advisory Committee, the research advisory committee established by section 44508(a) of title 49, United States Code, and representatives of the unmanned aircraft industry, shall establish a UTM system pilot program.

(2) SUNSET.—Not later than 2 years after the date of establishment of the pilot program, the Administrator shall conclude the pilot program.

Deadlines.

(c) UPDATES.—Not later than 180 days after the date of establishment of the pilot program, and every 180 days thereafter until the date of conclusion of the pilot program, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives an update on the status and progress of the pilot program.

49 USC 40101 note. Deadline.

SEC. 2209. APPLICATIONS FOR DESIGNATION.

(a) APPLICATIONS FOR DESIGNATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish a process to allow applicants to petition the Administrator of the Federal Aviation Administration to prohibit or restrict the operation of an unmanned aircraft in close proximity to a fixed site facility.

(b) REVIEW PROCESS.—

(1) APPLICATION PROCEDURES.—

(A) IN GENERAL.—The Administrator shall establish the procedures for the application for designation under subsection (a).

(B) REQUIREMENTS.—The procedures shall allow operators or proprietors of fixed site facilities to apply for designation individually or collectively.

(C) CONSIDERATIONS.—Only the following may be considered fixed site facilities:

(i) Critical infrastructure, such as energy production, transmission, and distribution facilities and equipment.

(ii) Oil refineries and chemical facilities.

(iii) Amusement parks.

(iv) Other locations that warrant such restrictions.

(2) DETERMINATION.—

(A) IN GENERAL.—The Secretary shall provide for a determination under the review process established under subsection (a) not later than 90 days after the date of application, unless the applicant is provided with written notice describing the reason for the delay.

(B) AFFIRMATIVE DESIGNATIONS.—An affirmative designation shall outline—

(i) the boundaries for unmanned aircraft operation near the fixed site facility; and

(ii) such other limitations that the Administrator determines may be appropriate.

(C) CONSIDERATIONS.—In making a determination whether to grant or deny an application for a designation, the Administrator may consider—

(i) aviation safety;

(ii) protection of persons and property on the ground;

Deadline. Notice.

- (iii) national security; or
- (iv) homeland security.

(D) OPPORTUNITY FOR RESUBMISSION.—If an application is denied, and the applicant can reasonably address the reason for the denial, the Administrator may allow the applicant to reapply for designation.

(c) PUBLIC INFORMATION.—Designations under subsection (a) shall be published by the Federal Aviation Administration on a publicly accessible website. Web posting.

(d) SAVINGS CLAUSE.—Nothing in this section may be construed as prohibiting the Administrator from authorizing operation of an aircraft, including an unmanned aircraft system, over, under, or within a specified distance from that fixed site facility designated under subsection (b).

SEC. 2210. OPERATIONS ASSOCIATED WITH CRITICAL INFRASTRUCTURE. 49 USC 40101 note.

(a) IN GENERAL.—Any application process established under section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) shall allow for a person to apply to the Administrator of the Federal Aviation Administration to operate an unmanned aircraft system, for purposes of conducting an activity described in subsection (b)—

- (1) beyond the visual line of sight of the individual operating the unmanned aircraft system; and
- (2) during the day or at night.

(b) ACTIVITIES DESCRIBED.—The activities described in this subsection are—

(1) activities for which manned aircraft may be used to comply with Federal, State, or local laws, including—

(A) activities to ensure compliance with Federal or State regulatory, permit, or other requirements, including to conduct surveys associated with applications for permits for new pipeline or pipeline systems construction or maintenance or rehabilitation of existing pipelines or pipeline systems; and

(B) activities relating to ensuring compliance with—

- (i) parts 192 and 195 of title 49, Code of Federal Regulations; and

- (ii) the requirements of any Federal, State, or local governmental or regulatory body, or industry best practice, pertaining to the construction, ownership, operation, maintenance, repair, or replacement of covered facilities;

(2) activities to inspect, repair, construct, maintain, or protect covered facilities, including for the purpose of responding to a pipeline, pipeline system, or electric energy infrastructure incident; and

(3) activities in response to or in preparation for a natural disaster, manmade disaster, severe weather event, or other incident beyond the control of the applicant that may cause material damage to a covered facility.

(c) DEFINITIONS.—In this section, the following definitions apply: Applicability.

(1) COVERED FACILITY.—The term “covered facility” means—

- (A) a pipeline or pipeline system;

Advisory Committee, the research advisory committee established by section 44508(a) of title 49, United States Code, and representatives of the unmanned aircraft industry, shall establish a UTM system pilot program.

(2) SUNSET.—Not later than 2 years after the date of establishment of the pilot program, the Administrator shall conclude the pilot program.

Deadlines.

(c) UPDATES.—Not later than 180 days after the date of establishment of the pilot program, and every 180 days thereafter until the date of conclusion of the pilot program, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives an update on the status and progress of the pilot program.

49 USC 40101
note.
Deadline.

SEC. 2209. APPLICATIONS FOR DESIGNATION.

(a) APPLICATIONS FOR DESIGNATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish a process to allow applicants to petition the Administrator of the Federal Aviation Administration to prohibit or restrict the operation of an unmanned aircraft in close proximity to a fixed site facility.

(b) REVIEW PROCESS.—

(1) APPLICATION PROCEDURES.—

(A) IN GENERAL.—The Administrator shall establish the procedures for the application for designation under subsection (a).

(B) REQUIREMENTS.—The procedures shall allow operators or proprietors of fixed site facilities to apply for designation individually or collectively.

(C) CONSIDERATIONS.—Only the following may be considered fixed site facilities:

(i) Critical infrastructure, such as energy production, transmission, and distribution facilities and equipment.

(ii) Oil refineries and chemical facilities.

(iii) Amusement parks.

(iv) Other locations that warrant such restrictions.

(2) DETERMINATION.—

Deadline.
Notice.

(A) IN GENERAL.—The Secretary shall provide for a determination under the review process established under subsection (a) not later than 90 days after the date of application, unless the applicant is provided with written notice describing the reason for the delay.

(B) AFFIRMATIVE DESIGNATIONS.—An affirmative designation shall outline—

(i) the boundaries for unmanned aircraft operation near the fixed site facility; and

(ii) such other limitations that the Administrator determines may be appropriate.

(C) CONSIDERATIONS.—In making a determination whether to grant or deny an application for a designation, the Administrator may consider—

(i) aviation safety;

(ii) protection of persons and property on the ground;

- (iii) national security; or
- (iv) homeland security.

(D) OPPORTUNITY FOR RESUBMISSION.—If an application is denied, and the applicant can reasonably address the reason for the denial, the Administrator may allow the applicant to reapply for designation.

(c) PUBLIC INFORMATION.—Designations under subsection (a) shall be published by the Federal Aviation Administration on a publicly accessible website. Web posting.

(d) SAVINGS CLAUSE.—Nothing in this section may be construed as prohibiting the Administrator from authorizing operation of an aircraft, including an unmanned aircraft system, over, under, or within a specified distance from that fixed site facility designated under subsection (b).

SEC. 2210. OPERATIONS ASSOCIATED WITH CRITICAL INFRASTRUCTURE. 49 USC 40101 note.

(a) IN GENERAL.—Any application process established under section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) shall allow for a person to apply to the Administrator of the Federal Aviation Administration to operate an unmanned aircraft system, for purposes of conducting an activity described in subsection (b)—

- (1) beyond the visual line of sight of the individual operating the unmanned aircraft system; and
- (2) during the day or at night.

(b) ACTIVITIES DESCRIBED.—The activities described in this subsection are—

(1) activities for which manned aircraft may be used to comply with Federal, State, or local laws, including—

(A) activities to ensure compliance with Federal or State regulatory, permit, or other requirements, including to conduct surveys associated with applications for permits for new pipeline or pipeline systems construction or maintenance or rehabilitation of existing pipelines or pipeline systems; and

(B) activities relating to ensuring compliance with—

- (i) parts 192 and 195 of title 49, Code of Federal Regulations; and

- (ii) the requirements of any Federal, State, or local governmental or regulatory body, or industry best practice, pertaining to the construction, ownership, operation, maintenance, repair, or replacement of covered facilities;

(2) activities to inspect, repair, construct, maintain, or protect covered facilities, including for the purpose of responding to a pipeline, pipeline system, or electric energy infrastructure incident; and

(3) activities in response to or in preparation for a natural disaster, manmade disaster, severe weather event, or other incident beyond the control of the applicant that may cause material damage to a covered facility.

(c) DEFINITIONS.—In this section, the following definitions apply: Applicability.

(1) COVERED FACILITY.—The term “covered facility” means—

- (A) a pipeline or pipeline system;

#6

Consumer Technology Association™

1919 S. Eads St.
Arlington, VA 22202
703-907-7600
CTA.tech

April 6, 2017

Senator Sharon Carson
Chair, Senate Executive Departments & Administration Committee
New Hampshire State Legislature
Room 101, Legislative Office Building
Concord, NH 03301

Re: **Proposed House Bill 97-FN**

Dear Senator Carson:

The Consumer Technology Association (“CTA”) urges the New Hampshire legislature to reject proposed House Bill 97-FN (“HB 97”). Although well-intentioned, CTA cautions against adoption of laws specifically targeted at unmanned aircraft systems (“UAS” or drones). CTA represents more than 2,200 companies, 80 percent of which are small businesses and startups. As a champion of innovation, CTA has been a long-time advocate of clear rules authorizing UAS in a safe manner within the national airspace. CTA has been continually involved in the Federal Aviation Administration (“FAA”) rulemaking activities concerning the operation and certification of small UAS. We also are a partner with several other organizations and the FAA in the *Know Before You Fly* campaign, which is educating prospective drone users about the safe and responsible operation of UAS.

The explosive growth of the UAS industry has prompted legislators in many states and localities to propose legislation regulating the industry or otherwise trying to address potential concerns related to UAS. Before considering new legislation, however, lawmakers should consider whether (i) proposed regulations are preempted, (ii) the conduct at issue may already be addressed by existing state laws, and (iii) UAS-specific legislation is warranted.

Creating technology-specific criminal offenses and penalties is a reactionary approach to innovation. To arbitrarily treat identical harms differently based on their enabling instrumentality would create a patchwork of regulation where similar offenses lead to different results, chilling development and forestalling exciting new technologies. HB 97 should not be adopted because it would be preempted, would arbitrarily regulate conduct based on the use of a UAS, and would duplicate existing laws.¹

¹ CTA also notes that proposed Section 422-D:3 IV(c), which would prohibit drone operations that “interfere with the operations of or cause a disturbance to” a critical infrastructure facility, should be rejected consistent with the void for vagueness doctrine.



I. THE BILL UNLAWFULLY ATTEMPTS TO ESTABLISH NO-FLY ZONES

HB 97 would create no-fly zones around critical infrastructure (proposed Section 422-D:3 IV(a)), above private property (proposed Section 422-D:3 VIII), and near airports (proposed Section 422-D:4). If adopted, drone no-fly zones would be created over large areas of New Hampshire in a patchwork fashion. As discussed below, no-fly zones may be established only by the federal government. State and local laws purporting to establish such zones are preempted.

The Supremacy Clause of the U.S. Constitution states that “the Constitution and the laws of the United States which shall be made in pursuance thereof . . . shall be the supreme law of the land.”² As noted by the Supreme Court, this gives Congress the power to preempt state law.³ There are three types of preemption: express preemption when Congress specifically preempts a state law;⁴ field preemption when a federal framework of regulation is “so pervasive . . . that Congress left no room for the States to supplement it” or where a “federal interest is so dominant that the federal system will be assumed to preclude enforcement of state laws on the same subject;”⁵ and conflict preemption when state laws “conflict with federal law, including when they stand ‘as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress.’”⁶ Congress has occupied the field with regard to air navigation. As the Supreme Court has observed:

Federal control is intensive and exclusive. Planes do not wander about in the sky like vagrant clouds. They move only by federal permission, subject to federal inspection, in the hands of federally certified personnel and under an intricate system of federal commands. The moment a ship taxis onto a runway it is caught up in an elaborate and detailed system of controls.⁷

On December 17, 2015, the FAA released a UAS Fact Sheet reminding state and local jurisdictions that they lack authority to regulate airspace.⁸ In particular, the UAS Fact Sheet

² U.S. Const., Art. VI, Cl 2.

³ See, e.g., *Arizona v. United States*, 132 S. Ct. 2492 (2012).

⁴ *Id.*

⁵ *Id.* (quoting *Rice v. Santa Fe Elevator Corp.*, 331 U.S. 218, 230 (1947)).

⁶ *Id.* (quoting *Hines v. Davidowitz*, 312 U.S. 52, 67 (1941)).

⁷ *Burbank v. Lockheed Air Terminal*, 411 U.S. 624, 633-34 (1973)(quoting *Northwest Airlines, Inc. v. Minnesota*, 322 U.S. 292, 303 (Jackson, concurring)).

⁸ State and Local Regulation of Unmanned Aircraft Systems (UAS) Fact Sheet, Federal Aviation Administration Office of the Chief Counsel (Dec. 17, 2015) (“UAS Fact Sheet”) https://www.faa.gov/uas/resources/uas_regulations_policy/media/UAS_Fact_Sheet_Final.pdf.

identified regulations that impose operational bans or otherwise regulate navigable airspace as problematic.⁹ It notes that “[s]ubstantial air safety issues are raised when state and local governments attempt to regulate the operation or flight of aircraft” and “[a] navigable airspace free from inconsistent state and local restrictions is essential to the maintenance of a safe and sound air transportation system.”¹⁰ HB 97 would intrude into this purely federal regulatory system by establishing no-fly zones at the local level.

The FAA has issued numerous letters to localities cautioning against the adoption of no-fly zones.¹¹ It has specifically stated that any “prohibition of UAS being flown within certain distances of sports stadiums, airports, or other venues constitutes . . . an operational restriction and would be inconsistent with the Federal statutory and regulatory framework.”¹²

CTA notes that, pursuant to Section 2209 of the FAA Extension, Safety, and Security Act of 2016, Public Law 114-190 (July 15, 2016), the FAA is establishing procedures for designating no-fly zones around fixed critical infrastructure facilities. To the extent the proposed legislation would subvert this process by establishing New Hampshire-specific criteria for identifying critical infrastructure and establishing no-fly zones, it is preempted.¹³ For these reasons, the sections of HB 97 proposing to establish no-fly zones should be stricken.

II. DRONE-SPECIFIC REGULATIONS DIRECTED AT PRIVACY ARE PREEMPTED AND UNNECESSARY

HB 97 proposes drone-specific prohibitions on privacy. Specifically, proposed Section 422-D:3 II would prohibit the use of drones to take pictures of individuals and proposed Section 422-D:3 VII would prohibit the use of a drone to stalk or harass another person. The FAA

⁹ UAS Fact Sheet at 3.

¹⁰ UAS Fact Sheet at 2.

¹¹ *See, e.g.*, Letter from Christopher R. Stevenson, FAA Office of the Chief Counsel, Enforcement Division, to Mark A. Winn, Assistant City Attorney, City of Petersburg (Sept. 16, 2016); Letter from Brandon C. Goldberg, FAA Office of the Regional Counsel, Southern Region to Alexander Karden, City Prosecutor, City of Orlando, Florida (Jan. 21, 2016) (“FAA Orlando Letter”); Brandon C. Goldberg, FAA Office of the Regional Counsel, Southern Region to Austin D. Roberson, Cobb County Attorney’s Office (Jun. 9, 2016) (“FAA Cobb County Letter”); Brandon C. Goldberg, FAA Office of the Regional Counsel, Southern Region to David Wolpin, Esq., Counsel for the City of Aventura, Florida (May 26, 2016) (“FAA Aventura Letter”).

¹² FAA Cobb County Letter at 1.

¹³ Proposed Section 422-D:5 also is preempted because it establishes state-specific marking/identification requirements for drones. The FAA already has considered registration and marking requirements for small UAS and adopted both interim and final rules addressing these issues. It has indicated that state and local efforts to regulate in this area require prior FAA approval.

Senator Sharon Carson
April 6, 2017
Page 4

has previously noted that similar prohibitions directly “solely at UAS” constitute operational restrictions which are preempted.¹⁴

Although drone privacy regulations are preempted, states remain “free to apply any generally applicable voyeurism laws” to drone operations.¹⁵ In this regard, Section 644:9 of the New Hampshire Revised Statutes already criminalizes the use of “any device for the purpose of observing, photographing, recording, amplifying or broadcasting, or in any way transmitting images or sounds” from a private place or, more generally, the use of “any device for the purpose of hearing, recording, amplifying, broadcasting, observing, or in any way transmitting images, location, movement, or sounds . . . which would not ordinarily be audible, visible, or comprehensible. . . .” Similarly, Sections 633:3-a and 644:4 of the New Hampshire Criminal Code already criminalize stalking and harassment. These existing laws apply to drone operations. Accordingly, the Bill’s proposed prohibitions on surveillance, stalking, and harassment are unnecessary.

A person’s rights to privacy place should not hinge on the technology used to conduct surveillance or engage in harassment. If new legislation is warranted, the better approach would be adoption of technology-neutral laws addressing privacy issues generally. Adoption of technology-neutral laws will eliminate the need to adopt new laws each time a new technology is developed.

For the above reasons, CTA opposes enactment of HB 97.

Sincerely,



Douglas K. Johnson
Vice President, Technology Policy
djohnson@cta.tech

¹⁴ FAA Aventura Letter at 1.

¹⁵ See, e.g., *id.*; FAA Aventura Letter at 1.



April 12, 2017

Senator Sharon Carson, Chair
Senate Executive Departments and Administration Committee
State House, Room 106
107 North Main Street
Concord, NH 03301

RE:- Opposition to House Bill 97, Relative to the Use of Drones

Dear Chair Carson and members of the Senate Executive Departments & Administration Committee,

By way of introduction, my name is Matt Mincieli, the Northeast Region Executive Director for TechNet, a national network of over 70 technology companies that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic startups to the most iconic companies on the planet and represents more than two million employees in the fields of information technology, e-commerce, advanced energy, biotechnology, venture capital, and finance. TechNet is committed to advancing the public policies and private sector initiatives that make the U.S. the most innovative country in the world. On behalf of our membership, we respectfully submit our letter of opposition to House Bill 97, relative to the use of drones, sponsored by Representative Kurk.

Thank you for the opportunity to testify and I also want to thank the sponsor's continued willingness to meet with us and discuss his bill and his intentions. TechNet understands the desire to impose restrictions on the use of drones. However, our membership worries that the limitations imposed on personal and commercial uses by HB 97 will negatively impact the technology sector in New Hampshire and create an untenable patchwork of regulations treading over the line of Federal Aviation Administration (FAA) jurisdiction.

TechNet would respectfully recommend that HB 97 be amended to remove sections relating to commercial use of drones. Last session, we testified against a very similar bill filed by Representative Kurk that was passed by the House but eventually stalled in a conference committee after the Senate version of the bill contained a safe harbor provision for commercial uses of drones.

Fortunately, existing state and federal laws cover many of the concerns addressed in HB 97. It should also be noted that the FAA is continually reviewing and updating their drone regulations and just passed new restrictions on commercial drone use last August. Many of the updated guidelines already address the prohibitions included in HB 97. For example, the FAA now allows state and local governments to apply to the FAA for no-fly zones over infrastructure deemed critical to their communities. This is an approach we would recommend New Hampshire seriously consider.

TechNet believes the Committee would be wise to collaborate with New Hampshire DOT's Bureau of Aviation and the various commercial sector industries that use drones for legitimate business purposes to develop a comprehensive bill that takes in to account what the state can legally regulate, what the FAA advises a state may regulate and the clarifications needed to avoid unintended consequences. As drafted, HB 97 would have the unintended consequence of effectively killing any commercial drone operations in the state, contradicting the sponsor's declared intent, by preventing drone operation over any power line as specified in the bill's definition of critical infrastructure.

It is very important to note that NO state in the nation has enacted a bill that would so drastically restrict commercial use of drones and that just last month Michigan enacted a law tightening restrictions on various drone use but allowing the commercial use of drones to continue expanding. It has become clear in the past few years that state legislatures are either content to allow the FAA to govern the use of drones or are passing laws that codify the legitimate commercial use of drones. If HB 97 were passed as currently drafted, it would create a major compliance burden for companies using drones for legitimate business purposes and make New Hampshire a significant national outlier in adoption of drones.

As far as I know, there have been no reports of commercial sector abuse of drones in New Hampshire and until the full potential of the beneficial impact drones have and will continue to have on the economy of New Hampshire has been fully realized, in our view, it's premature to restrict commercial use in any way. If there are instances of abuse, the Committee should note that New Hampshire has existing laws that already protect the privacy and safety of residents. For example, laws addressing harassment, battery, and violations of privacy are already fully applicable to the use of drones in New Hampshire.

For these reasons we respectfully ask that the Committee further study HB 97 to avoid creating unintended consequences, conflicting laws and confusion for the technology sector by stifling legitimate commercial use of drones that could beneficially impact the day to day lives of your constituents. We appreciate your consideration of our views and offer our membership's assistance should it be requested in helping to craft a bill that allows for responsible commercial and private use of drones. Thank you for your attention and please let us know if we can provide further information.

Respectfully,



Matt Mincieli
Executive Director, Northeast Region, TechNet

Cc: Deb Chroniak, Committee Aide



April 12, 2017

Executive Departments and Administration Committee

RE: HB 97 - Relative to the use of Drones

Good Morning,

My name is Jim Cloutier. My wife Carol and I are residents of Auburn NH and own Red Dog Aerial Media, a UAV/Drone services company. I am speaking this morning in opposition to HB 97.

What is the first thing to come to mind when someone mentions the word drone? For many of us, we were first introduced to the term drone while watching the news coverage of the war on terror in the Middle East. We picture a grey menacing fixed wing military aircraft with a bulbous nose, carrying missiles. Others would envision the small white quad-copter that crashed on the white house lawn, spied on the next-door neighbor or sensationally flew into the "Space Needle". It is stories like these that have prompted the perception that this reactive bill is needed.

The FAA refers to these aircraft as UAV's (Unmanned Aerial Vehicle). It is critical that we recognize UAV's and the technology as an asset and a benefit to the public. Some positive engagements people have had with UAV's are: the story of one pilot locating a missing 82 year old man in a 200 acre Colorado soybean field. The pilot using a thermal imaging camera to locate a rollover victim thrown from a vehicle. And, the UAV's that will soon be used to aid drowning victims by dropping flotation devices quickly and with pinpoint accuracy. There are a significant number of similar UAV interactions if one cares to look. Red Dog Aerial is providing aerial photography/videography for a NH engineering firm who presently is working on various DOT projects throughout the state.

UAV's are now used to inspect cell phone towers, transmission lines, high structures, roofs, bridges and other infrastructure; increasing safety and reducing the risk of injury or death. In addition, we must not overlook the countless jobs that will be created to support a worldwide UAV market that is expected to exceed \$127 Billion dollars by the year 2020. (That number is considered conservative.)

What is the intent of HB97? I'm an engineer so I had to break it down by the numbers. Not including the "definitions" in paragraph 422-D:1 there are 32 individual items in this bill that directly relate to the use of a UAV. I have added each of those items into one of six categories.

1. Evidence/Information gathering
2. Privacy - Surveillance, stalking and privacy concerns.
3. Operational (FAA) - Items that are currently addressed in FAA Part 107 or will be in the future.
4. Records Retention - Including retention of digital media
5. Reporting/Disclosure - Departmental
6. Misc. - Weaponizing, Training and Liability



The top three categories presented in this bill are either addressed by the 4th amendment or current New Hampshire law, or both. Those top three categories are Evidence/Information Gathering, Privacy, and Operational (FAA). These make up seventy five percent of this bill. We feel the redundancy of HB 97 creates confusion rather than solving a specific set of problems.

I'd like to address the privacy issue, because it is referenced so prominently in this bill. I acknowledge that privacy concerns are valid and they always have been. When cameras became a standard on most cell phones there were privacy concerns based on "bad behavior". People were caught taking photos in what we considered at the time as private areas, locker rooms, dressing rooms, etc. The response was to modify and strengthen the privacy law to protect people from criminal intent, not to create a "cell phone" law. HB 97 approaches the privacy concern by regulating the technology with the expectation that it will protect against criminal intent. This may actually create the opposite. The authors of this bill have re-defined the "reasonable expectation of privacy on privately owned real property" in 422-D:3, subparagraph III.a. This definition is now inconsistent with the privacy definition in RSA 644:9 "Violation of Privacy". In fact, in regards to "viewing someone" the privacy law defines "view" as "looking at another person with the unaided eye or **any device** intended to improve visual acuity". The more you define privacy outside of the existing law used to protect someone's privacy, the more you weaken the existing law. If current laws are not deemed adequate to protect the citizens of New Hampshire because of the introduction of new technology, then those laws need to be changed or re-enforced.

Have there been issues related to UAV's in the State of New Hampshire? Yes. However, with proper education we feel these issues can be avoided. The FAA has made significant strides to ensure that UAV flights have been integrated into the national airspace safely and they still have quite a bit to do. Regulation is pretty much useless without education. Any consumer can stop by a hobby store and purchase a five hundred dollar UAV that has an effective range of over one mile and have no idea that he or she cannot fly it within a certain distance of the airport. It would never even occur to them. In addition, unless the hobby store has included FAA B4UFly information with the purchase they probably won't even know that they are required to register it. In many cases local law enforcement officers have the same issue. Even if our law enforcement could issue citations, how many officers actually know what the regulations are? How do we make the State of New Hampshire safer when it comes to UAV flights? Start with proper education for law enforcement and a public awareness program. The use of this technology will continue to grow by leaps and bounds. If we approach it in a constructive and collaborative way we can create a culture of safety and also demonstrate to UAV development companies that New Hampshire would welcome their business. Carol and I at Red Dog Aerial Media would be eager to assist in these efforts.

Thank you for the opportunity to speak this morning. I'd be more than willing to answer any questions you may have.

Jim Cloutier

Chroniak, Deborah

Submission

From: Hatem, James <JHATEM@nixonpeabody.com>
Sent: Monday, April 10, 2017 9:17 AM
To: Carson, Sharon
Cc: Chroniak, Deborah
Subject: HB 97 relative to the use of drones

1

Senator Carson,

On behalf of State Farm, I am writing again in opposition to a drone bill. There are opportunities for insurers to use drones for many reasons, particularly since they are well-suited for dangerous and difficult tasks that are currently performed by people. State Farm is currently testing the use of drones to inspect rooftops and to survey damage in connection with hurricanes, hailstorms and other catastrophes. HB 97 in its current form would limit the use of drones for legitimate business purposes. For these reasons, State Farm supports any amendment of HB 97 that deletes the sections relating to non-government uses of drones.

Thank you.

Jim




James V. Hatem
Partner
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Chroniak, Deborah

Submission

From: Fennessy, Nathan R. <NFennessy@preti.com>
Sent: Tuesday, April 11, 2017 5:15 PM
To: Carson, Sharon
Subject:  HB 97 - Drones

2

Senator Carson,

I wanted to reach out to you on behalf of my client, AIG, regarding the drone bill that you will be hearing in the Executive Departments & Administration Committee tomorrow at 9:00 am. Unfortunately, I will not be able to attend the hearing tomorrow, but wanted to express our opposition to the current version of the bill.

The language passed by the House does not provide sufficient protection to businesses in NH using drones. My client would strongly suggest that the Committee amend the section of the bill appearing on pages 4-5 ("422-D:3 Non-Government Use of Drones Limited; Exceptions") so that it includes language similar to the language that was included in amendment to the bill last year by the Senate: "This chapter shall not apply to a business entity doing business lawfully in this state, using drones for business purposes, and operating the drone in compliance with the rules, licenses, or exemptions of the Federal Aviation Administration."

I would be happy to discuss our concerns further at your convenience.

Best,
Nathan

Nathan R. Fennessy
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Chroniak, Deborah

Submission

From: Alex Koutroubas <alex@dennehybouley.com>
Sent: Monday, April 17, 2017 2:00 PM
To: Carson, Sharon
Cc: Chroniak, Deborah
Subject: HB 97 relative to the use of drones.
Attachments: HB 97 ltr.pdf; ATT00001.htm

3

Dear Senator Carson,

Please see below and attached for a copy our letter on HB 97.

Thank you for your consideration of our concerns.

Alex Koutroubas
ACEC-NH

April 17, 2017

Senator Sharon Carson, Executive Departments and Administration Committee

State House Room 106

107 North Main Street

Concord, NH 03301

Dear Senator Carson:

Re: HB 97 relative to the use of drones.

The American Council of Engineering Companies of New Hampshire (ACEC-NH) is the voice of the engineering industry in our state. ACEC-NH's membership is made up of more than 65 firms and 1,200 employees who are engaged in a wide range of public and private engineering works that contribute to the economic viability and quality of life in New Hampshire.

In recent years, the use of unmanned aerial vehicles (UAVs) – also known as drones – have grown rapidly across our state. Like many other sectors of the economy, engineers have identified many ways to improve their working practices through drone use.

As a result, many of our member companies have begun using drone technology while performing professional consulting services for a variety of public and private sector clients. For example, engineering and construction companies use drones for bridge inspection, airfield obstruction mapping, real-time traffic observation, and flood flow observation. These activities are considered commercial drone usage and are covered under HB 97.

The individuals who operate drones for engineering purposes in our state are professional, trained, and licensed drone pilots.

In the summer of 2016, the Federal Aviation Administration (FAA) released final regulations for commercial use of small unmanned aircraft systems (UAS)—or drones

Our national association- The American Council of Engineering Companies (ACEC) was a key stakeholder and provided input to the FAA in their rule making process.

By creating a common set of regulations for small UAS operations, the new rules provide certainty to engineering firms seeking to use new technologies and applications. Because of these developments, ACEC-NH believes that drone regulation is best addressed at the national level.

ACEC-NH is concerned that HB 97 is a technology specific piece of legislation that sends a chilling effect to all drone operators, licensed pilots or not. The bill does this by imposing criminal penalties and placing restrictions and burdens on commercial drone operators.

In addition, HB 97 is preemptive to current federal rules. For example, the bill creates state specific “no fly zones.” We believe it makes much more sense for there to be one central entity or clearing house like the FAA for drone operators to use when following the “critical infrastructure” rules relative to drones. It is also understood that it is the Federal Aviation Administration, not the States, that owns the National Airspace System, and therefore States cannot pass bills to create "no fly zones"

The engineering companies in our state believe that the NH Legislature should be encouraging technology and innovation. HB 97 does the opposite by placing professionals at risk.

If NH’s privacy and stalking laws are not adequate those should be addressed, however, passing a law aimed at restricting a new technology while not considering the positive benefits of this technology, is poor public policy. Therefore, we ask you to find HB 97 inexpedient to legislate.

Sincerely,

Alex Koutroubas

ACEC-NH, Executive Director

Chroniak, Deborah

Submission

From: Weare Representative <rep03281@aol.com>
Sent: Wednesday, April 26, 2017 3:07 PM
To: Carson, Sharon
Cc: Chroniak, Deborah
Subject: Drone Amendment
Attachments: HB 97 Amendment 4-26-17.docx

#4

Follow Up Flag: Follow up
Flag Status: Flagged

Hi, Sharon,

Attached is a ***draft*** of the proposed amendment to HB 97, the drone bill. It's based on your suggestion that current law already deals with private sector drone abuses. So, it removes the bill's restrictions on private sector usage (other than the ban on drones flying over infrastructure and the ban on weaponizing drones) and clarifies the current statute on privacy expectations in private places (RSA 644:9) and the stalking statute to prohibit violations by drone.

Please call if you have questions (529-7253).

Regards, Neal

AN ACT relative to the use of drones.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Chapter; Drones. Amend RSA by inserting after chapter 422-C the following new chapter:

CHAPTER 422-D

DRONES

422-D:1 Definitions. In this chapter:

I. "Airspace" means the space above the ground in New Hampshire.

~~II. "Automated surveillance" means surveillance employing a mechanical or electronic device, computer or software, including but not limited to facial recognition technology, that functions continuously without continuous input from a human operator.~~

~~III. "Commercial purpose" means to exchange for money, goods or services or to exchange with the intention of directly or indirectly benefiting any business or other undertaking intended for profit.~~

IV.(a) "Critical infrastructure" means a county, city, or town jail or detention facility, police station or fire station; any prison, facility, or institution under the control of the department of corrections; and any additional structure designated by the Federal Aviation Administration as critical infrastructure.

(b) The department of transportation, bureau of aeronautics, shall apply to the Federal Aviation Administration to request the structures specified in subparagraph (a) to be designated as critical infrastructures.

V. "Drone" means a powered, aerial vehicle, excluding a geosynchronous satellite, that:

- (a) Does not carry a human operator;
- (b) Uses aerodynamic forces to provide vehicle lift;
- (c) Can fly autonomously or be piloted remotely; and
- (d) May be expendable or recoverable.

VI. "Government" means the federal government, the state government and any political subdivisions thereof, and state and municipal agencies and departments, including employees and agents.

VII. "Image" means a record, including a photograph, of thermal, infrared, ultraviolet, visible light, or other electromagnetic waves; sound waves; odors; or other physical phenomena which captures conditions existing on or about real property or an individual located on that property.

VIII. "Imaging device" means a mechanical, digital, or electronic viewing device; still camera; camcorder; motion picture camera; or any other instrument, equipment, or format capable of recording, storing, or transmitting an image.

IX. "Individual" means a living human being.

X. "Information" means any evidence, images, sounds, or data gathered by a drone.

XI. "Law enforcement agency" means a lawfully established state, county, or municipal agency that is responsible for the prevention and detection of crime, local government code enforcement, and the enforcement of the criminal laws.

XII. "Law enforcement officer" means a duly sworn employee of a law enforcement agency who is invested with the power of arrest or the detection of crime.

XIII. "Person" means individuals, partnerships, limited liability companies, corporations, and any other organizations, including for-profit and not-for-profit entities, but excluding government.

XIV. "Surveillance" means the willful act of tracking or following, while photographing, taking images of, listening to, or making a recording of: (a) a recognizable individual or a group of individuals, including their movements, activities or communications, or (b) motor vehicles identifiable by their license plates. The term does not include such activities on real estate in which a person has a legal interest.

422-D:2 Government Use of Drones Limited; Exceptions.

I. Except as provided in paragraph II or III:

(a) No government shall use a drone, or obtain, receive, use, or retain information acquired by or through a drone, to engage in surveillance, to acquire evidence, or to enforce laws; and

(b) No government shall use a drone equipped with an imaging device to record an image of an identifiable individual on privately-owned real property in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (1) is within an enclosed structure or (2) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air.

II.(a) Notwithstanding the provisions of paragraph I, a government may use a drone, or obtain, receive, use or retain information acquired by or through a drone, for law enforcement purposes under the following conditions only:

(1) If surveillance is undertaken, with the prior consent of the person who is the subject of surveillance and the owner or lessee of the property which is the subject of the surveillance.

(2) If a government first obtains a search warrant signed by a judge and based on probable cause or the use of a drone is pursuant to a legally-recognized exception to the warrant requirement. A search warrant authorizing the use of a drone shall specify the period for which operation of the drone is authorized, which period shall not exceed 10 days unless subsequently renewed by a judge.

(3) If a government possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life or serious damage to property, or to forestall the imminent escape of a suspect, or the destruction of evidence, or to assist in locating missing, abducted or lost individuals, hunters or hikers, or to rescue persons in natural disasters, injured persons or persons in need of medical assistance.

(4) To counter a high risk of a terrorist attack or incident by a specific individual or organization which the United States Department of Homeland Security determines that credible intelligence indicates that there is such a risk.

(5) To increase situational awareness in understanding the nature, scale, and scope of an incident which has occurred and for planning and coordinating an effective and legal response, provided the incident is limited geographically and in time.

(6) To support the tactical deployment of law enforcement personnel and equipment in emergency situations.

(7) To document a specific crime scene, traffic crash scene or other major incident scene, such as a disaster caused by natural or human activity, provided such documentation is conducted in a geographically confined and time-limited manner.

(8) For purposes of training law enforcement officers or others in the proper, safe, and legal use of drones.

(b) A government which uses a drone, or obtains, receives, uses or retains information acquired by or through a drone, pursuant to paragraph II may do so only if (1) specifically authorized by the chief law enforcement officer of a law enforcement agency, or a supervisor designated by the chief law enforcement officer, (2) is not operated in an unsafe manner, and (3) is not operated in violation of United States Federal Aviation Administration regulations.

(c) The use of a drone by a government under subparagraphs II(a)(4) shall be limited to a period of 48 hours of its initial use after which a search warrant or other court order signed by a judge

shall be required. The use of a drone by a government under subparagraphs II(a)(5)-(8) shall be limited to a period of 48 hours of its initial use after which reauthorization shall be required.

(d) Within 5 business days of the initiation of the use of a drone under subparagraph II(a), the government shall report in writing the use of a drone to the attorney general who shall annually post such reports on the department of justice website in a searchable format.

III. Notwithstanding the provisions of paragraph I, a government may use a drone, or obtain, receive, use, or retain information acquired by or through a drone for non-law enforcement purposes if, in an emergency, a government determines that, under particular circumstances, swift action is needed to prevent imminent harm to life or serious damage to property, or to assist in locating missing, abducted, or lost individuals, hunters, or hikers, or to rescue persons in natural disasters, injured persons, or persons in need of medical assistance.

IV. Unless the fact of a violation is being disputed, information obtained by a government in violation of paragraphs I and II shall, within 12 hours after the discovery of the violation, be permanently and irretrievably destroyed, shall not be transferred to another government or person, shall not be admissible in any judicial or administrative proceeding and shall not be used to establish reasonable suspicion or probable cause to believe that an offense has been committed.

V. Images of identifiable individuals obtained by a government pursuant to paragraphs I or II shall be blurred, deleted or otherwise de-identified as soon as practicable but in any case within 30 days after being obtained unless such images may be evidence in a criminal investigation.

VI. No government shall own, use, or exercise control over a drone that is equipped with any kind of lethal or non-lethal weapon.

VII. A government that owns, uses, or exercises control over a drone that causes injury to a person or a person's property shall be liable for such injury.

VIII. A government that owns, uses, or exercises control over one or more drones shall annually on July 1 submit a written or electronic report to the attorney general containing information on the number of such drones, the number of times each such drone was used during the prior year and, in general terms, the purpose of each such use. The attorney general shall annually post such reports on the department of justice website in a searchable format.

422-D:3 Non-Government Use of Drones Limited; Exceptions.

~~I. No person shall use a drone to engage in automated surveillance.~~

~~II. No person shall use a drone to engage in surveillance for commercial purposes without the prior consent of each affected person and each owner or possessor of affecting buildings or structures or parts thereof. It shall not be a defense to a charge of violating this chapter that the buildings or structures were not marked with a no trespassing sign or similar notice.~~

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~~III.(a) No person shall use a drone equipped with an imaging device to record or view an image or listen to or record the sound of an identifiable individual on privately owned real property in which the person does not have a legally recognized interest in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately owned real property if he or she:~~

~~(1) Is within an enclosed structure; or~~

~~(2) Is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air.~~

~~(b) This paragraph shall not apply to the unintentional recording or viewing of an image, or to the unintentional listening to or recording the sound of, an individual.~~

~~IV I. No person shall:~~

~~(a) Operate a drone over critical infrastructure without the written consent of the owner of the critical infrastructure;~~

~~(b) Allow a drone to make contact with critical infrastructure facility, including any individual or object on the premises of or within the critical infrastructure; or~~

~~(c) Allow a drone to come within a distance of a critical infrastructure facility that is close enough to interfere with the operations of or cause a disturbance to the facility or its occupants.~~

~~V II. No person shall own, use, or exercise control over a drone that is equipped with any kind of lethal or nonlethal weapon. This prohibition shall not apply to a person who is a federal government military contractor using or exercising control over a drone which is equipped with a nonlethal weapon and which is flying over real property in which the person has a legal interest.~~

~~VI III. Any person that owns, uses, or exercises control over a drone in this state that causes injury to a person or a person's property shall be liable for the injury.~~

~~VII. No person shall use a drone to harass or stalk another person.~~

~~VIII. Paragraphs I, II, and III of this section shall not apply to a person engaged in a business or profession licensed by the state, or by an agent, employee, or contractor of such person, if the drone is used solely to perform reasonable tasks within the scope of practice or activities permitted under such person's license, and provided that the drone shall not be used to obtain information about the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation, or character of any individual.~~

~~422 D:4 Airport Prohibition. No government or person shall operate a drone within 5 miles of any airport in this state in a manner that does not comply with relevant federal law and Federal Aviation Administration regulations and guidelines in effect at the time.~~

~~422-D:5 Identification. Except for the drone's original equipment manufacturer, each owner of a drone shall identify the drone with the owner's telephone number in permanent ink or other indelible manner of identification. If space allows, the owner's name shall also be included. Identification shall be readily accessible and legible upon close visual inspection.~~

422-D:6 Federal Preemption. If federal law preempts any provision of this chapter, that provision shall not apply.

422-D:7 Applicability. The provisions of this chapter shall not apply to the New Hampshire national guard in the conduct of its official duties.

422-D:8 Construction. This chapter shall be construed to provide the greatest possible protection of the privacy of the people of this state. Nothing in this chapter shall be construed to impose liability in connection with news gathering activity.

422-D:9 Penalties.

I. A government employee or agent who knowingly violates RSA 422-D:2, except for the reporting requirements in 422-D:2, II(c) and 422-D:2, VIII, shall be guilty of a misdemeanor. A government employee or agent who violates the reporting requirements in RSA 422-D:2, II(c) or 422-D:2, VIII shall be guilty of a violation for a first offense and a misdemeanor for any subsequent offense.

II. A government which violates RSA 422-D:2 may be subject to a civil penalty of up to \$10,000 which shall be deposited in the general fund of the state.

III. A person who suffers damages or injury caused by a government's use of a drone pursuant to this chapter may bring a civil action to recover actual damages which shall be limited to medical expenses, treatment, and rehabilitation, property damage, permanent physical impairment, court costs, and reasonable attorney's fees from the government. No claim for pain and suffering, emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship, services, or consortium, or other non-pecuniary losses shall be compensable under this chapter. This paragraph shall not be construed as a waiver of the sovereign immunity of the state.

IV. A person who violates RSA 422-D:3, I-VII ~~III~~ shall be guilty of a misdemeanor.

V. Any person who suffers injury caused by a drone operated in violation of this chapter shall be entitled to damages from the person who committed the violation of not less than \$1,000 and an award of reasonable attorney fees.

VI. In addition to any other remedies allowed by law, a person who willfully gains unauthorized control over a drone shall be liable to the owner of the drone in an amount of not less than \$1,000 and an award of reasonable attorney fees.

2 Amend RSA 644:9 to read as follows:

644:9 Violation of Privacy. –

I. A person is guilty of a class A misdemeanor if such person unlawfully and without the consent of the persons entitled to privacy therein, installs or uses:

(a) Any device for the purpose of observing, photographing, recording, amplifying, broadcasting, or in any way transmitting images or sounds of the private body parts of a person including the genitalia, buttocks, or female breasts, or a person's body underneath that person's clothing; or

(b) In any private place, any device for the purpose of observing, photographing, recording, amplifying or broadcasting, or in any way transmitting images or sounds in such place; or

(c) Outside a private place, any device for the purpose of hearing, recording, amplifying, broadcasting, observing, or in any way transmitting images, location, movement, or sounds originating in such place which would not ordinarily be audible, visible, or comprehensible outside such place.

II. As used in this section, "private place" means a place where one may reasonably expect to be safe from surveillance including public restrooms, locker rooms, the interior of one's dwelling place, or any place where a person's private body parts including genitalia, buttocks, or female breasts may be exposed.

III. A person is guilty of a class A misdemeanor if that person knowingly disseminates or causes the dissemination of any photograph or video recording of himself or herself engaging in sexual activity with another person without the express consent of the other person or persons who appear in the photograph or videotape. In this paragraph, "disseminate" and "sexual activity" shall have the same meaning as in RSA 649-A:2.

III-a. A person is guilty of a misdemeanor if, for the purpose of arousing or gratifying the person's sexual desire, he or she knowingly views another person, without that person's knowledge or consent, in a place where one would have a reasonable expectation of privacy. For purposes of this paragraph, "views" means looking at another person with the unaided eye or any device intended to improve visual acuity.

IV. A person is guilty of a misdemeanor if such person knowingly enters any residential curtilage, as defined in RSA 627:9, I, or any other private place as defined in paragraph II of this section, without lawful authority and looks into the residential structure thereon or other private place with no legitimate purpose.

V. A person is guilty of a misdemeanor if such person intentionally uses any device for the specific purpose of observing, photographing, recording, amplifying, broadcasting, or in any way transmitting images or sounds of an individual within any residential curtilage, as defined in RSA 627:9, in which the person does not have a legally recognized interest, without the individual's consent or without lawful authority.

VI. Paragraphs I and II shall not be construed to impair or limit any otherwise lawful activities of law enforcement personnel, nor are paragraphs I and II intended to limit employees of governmental agencies or other entities, public or private, who, in the course and scope of their employment and supported by articulable suspicion, attempt to capture any type of visual image, sound recording, or other physical impression of a person during an investigation, surveillance, or monitoring of conduct to obtain evidence of suspected illegal activity, the suspected violation of any administrative rule or regulation, a suspected fraudulent insurance claim, or any other suspected fraudulent conduct or activity involving a violation of law, or pattern of business practices adversely affecting the public health or safety.

3 Amend RSA 633:3-a as follows:

633:3-a Stalking. –

I. A person commits the offense of stalking if such person:

(a) Purposely, knowingly, or recklessly engages in a course of conduct targeted at a specific person which would cause a reasonable person to fear for his or her personal safety or the safety of a member of that person's immediate family, and the person is actually placed in such fear;

(b) Purposely or knowingly engages in a course of conduct targeted at a specific individual, which the actor knows will place that individual in fear for his or her personal safety or the safety of a member of that individual's immediate family; or

(c) After being served with, or otherwise provided notice of, a protective order pursuant to RSA 173-B, RSA 458:16, or paragraph III-a of this section, or an order pursuant to RSA 597:2 that prohibits contact with a specific individual, purposely, knowingly, or recklessly engages in a single act of conduct that both violates the provisions of the order and is listed in paragraph II(a).

II. As used in this section:

(a) "Course of conduct" means 2 or more acts over a period of time, however short, which evidences a continuity of purpose. A course of conduct shall not include constitutionally protected activity, nor shall it include conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person. A course of conduct may include, but not be limited to, any of the following acts or a combination thereof:

(1) Threatening the safety of the targeted person or an immediate family member.

(2) Following, approaching, or confronting, ***photographing, recording, amplifying, broadcasting, or in any way transmitting images or sounds of the targeted person or a member of that person's immediate family or of a motor vehicle in which that person or a member of that person's immediate family is riding.***

(3) Appearing in close proximity to, or entering the person's residence, place of employment, school, or other place where the person can be found, or the residence, place of employment or school of a member of that person's immediate family.

(4) Causing damage to the person's residence or property or that of a member of the person's immediate family.

(5) Placing an object on the person's property, either directly or through a third person, or that of an immediate family member.


(6) Causing injury to that person's pet, or to a pet belonging to a member of that person's immediate family.

(7) Any act of communication, as defined in RSA 644:4, II.

(b) "Immediate family" means father, mother, stepparent, child, stepchild, sibling, spouse, or grandparent of the targeted person, any person residing in the household of the targeted person, or any person involved in an intimate relationship with the targeted person.

III. [Repealed.]

III-a. A person who has been the victim of stalking as defined in this section may seek relief by filing a civil petition in the district court in the district where the plaintiff or defendant resides. Upon a showing of stalking by a preponderance of the evidence, the court shall grant such relief as is necessary to bring about a cessation of stalking. The types of relief that may be granted, the procedures and burdens of proof to be applied in such proceedings, the methods of notice, service, and enforcement of such orders, and the penalties for violation thereof shall be the same as those set forth in RSA 173-B.



III-b. The minority of a plaintiff or defendant shall not preclude the court from issuing protective orders under this section.

III-c. Any order under this section shall be for a fixed period of time not to exceed one year, but may be extended by order of the court upon a motion by the plaintiff, showing good cause, with notice to the defendant, for one year after the expiration of the first order and thereafter each extension may be for up to 5 years, upon the request of the plaintiff and at the discretion of the court. The court shall review the order, and each renewal thereof and shall grant such relief as may be necessary to provide for the safety and well-being of the plaintiff. A defendant shall have the right to a hearing on the extension of any order under this paragraph to be held within 30 days of the extension. The court shall state in writing, at the respondent's request, its reason or reasons for granting the extension. The court shall retain jurisdiction to enforce and collect the financial support obligation which accrued prior to the expiration of the protective order.

III-d. (a) A protective order issued pursuant to this section, RSA 173-B:4, or RSA 173-B:5 shall not be construed to prohibit an attorney, or any person acting on the attorney's behalf, who is representing the defendant in an action brought under this chapter, or in any criminal proceeding concerning the abuse alleged under this chapter, from contacting the plaintiff for a legitimate purpose within the scope of the civil or criminal proceeding; provided, that the attorney or person acting on behalf of the attorney: identifies himself or herself as a representative of the defendant; acknowledges the existence of the protective order and informs the plaintiff that he or she has no obligation to speak; terminates contact with the plaintiff if the plaintiff expresses an unwillingness to talk; and ensures that any personal contact with the plaintiff occurs outside of the defendant's presence, unless the court has modified the protective order to permit such contact.

(b) A no-contact provision in a protective order issued pursuant to this section shall not be construed to:

- (1) Prevent contact between counsel for represented parties; or
- (2) Prevent a party from appearing at a scheduled court or administrative hearing; or
- (3) Prevent a defendant or defendant's counsel from sending the plaintiff copies of any legal pleadings filed in court relating to the domestic violence petition or related civil or criminal matters.

(c) A violation of this paragraph may result in a finding of contempt of court.

IV. In any complaint, information, or indictment brought for the enforcement of any provision of this statute, it shall not be necessary to negate any exception, excuse, proviso, or exemption contained herein and the burden of proof of any exception, excuse, proviso, or exemption shall be upon the defendant.

V. Any law enforcement officer may arrest, without a warrant, any person that the officer has probable cause to believe has violated the provisions of this section when the offense occurred within 12 hours, regardless of whether the crime occurred in the presence of the officer. A law enforcement officer shall arrest a person when he has probable cause to believe a violation of the provisions of this section has occurred within the last 12 hours when the offense involves a violation of a protective order issued pursuant to RSA 173-B, RSA 458:16, or paragraph III-a of this section.

VI. (a) Any person convicted of a violation of this section and who has one or more prior stalking convictions in this state or another state when the second or subsequent offense occurs within 7 years following the date of the first or prior offense shall be guilty of a class B felony.

(b) In all other cases, any person who is convicted of a violation of this section shall be

guilty of a class A misdemeanor.

VII. If any provision or application of this section or the application thereof to a person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provisions or applications, and to this end the provisions of this section are severable.

VIII. Upon proof that the victim and defendant were intimate partners or family or household members, as those terms are defined in RSA 631:2-b, III, a conviction under this section shall be recorded as "Stalking--Domestic Violence."

4 Effective Date. This act shall take effect July 1, 20187.

*Submission
5*

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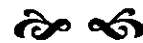
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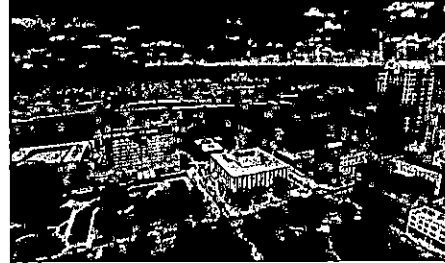
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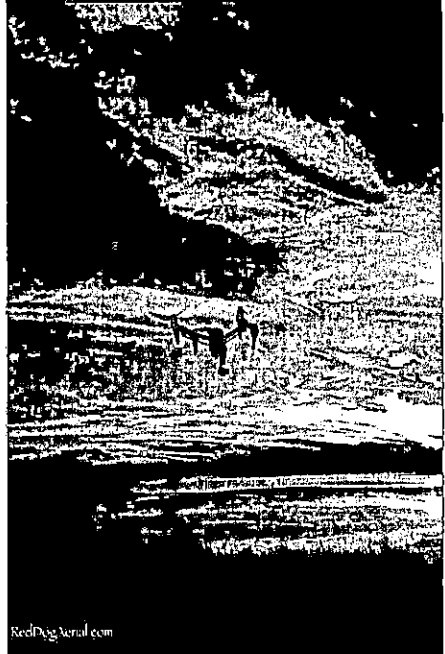
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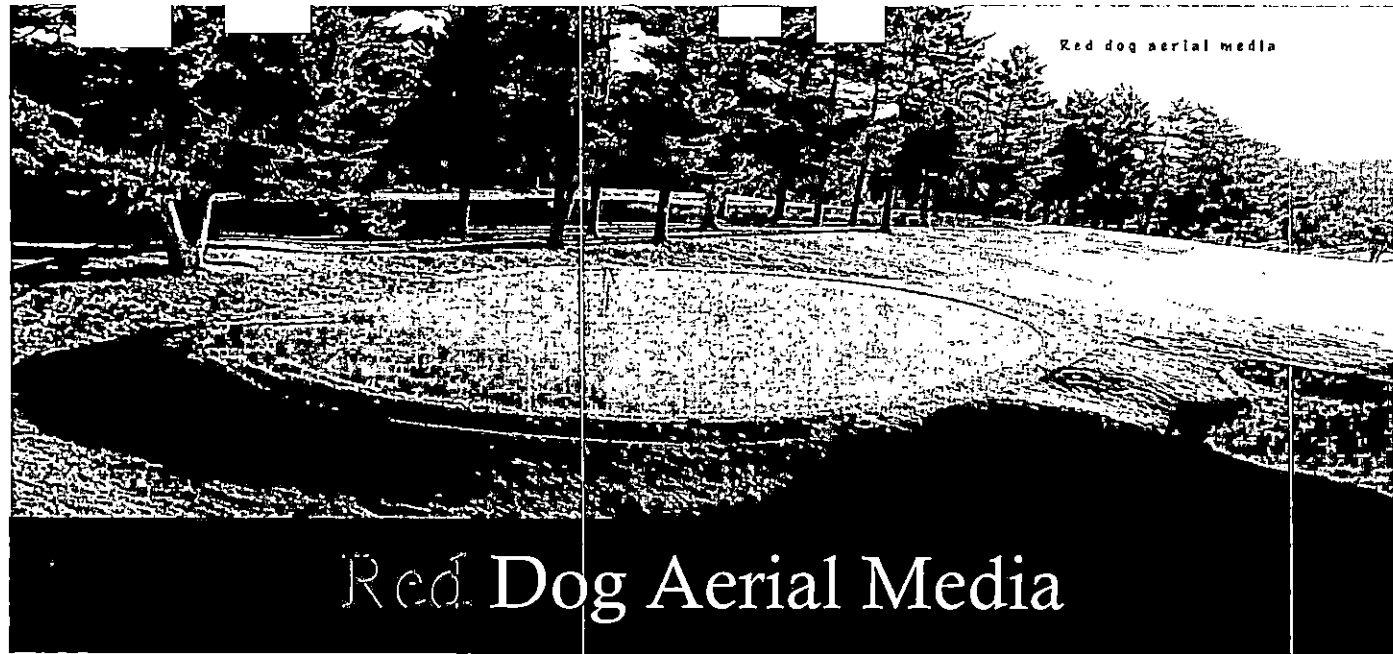
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Red Dog Aerial Media

*Drone Photography
& Videography*



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Red Dog Aerial Media

Red Dog Aerial Media has been in the aerial videography and photography business for over four years. We provide production grade video for broadcast and web content; photos and video for residential and commercial real estate; architectural and engineering bid packages or projects; construction & building projects; golf courses; advertising and more.

Additional services our company provides are: industrial roof, tower & infrastructure assessments, thermal imagery, aerial mapping services and insurance claims.

We are licensed and fully compliant with all current FAA regulations for commercial drone operations within the United States. **Red Dog Aerial Media** is a fully insured with a spotless safety record. We are a two person husband and wife team. Jim operates the drone and is experienced with over a 1,000 hours of flight time and Carol mans the camera controls on the drone. Our company has a well established reputation with great customer satisfaction.

Some of our clients

- Anheuser-Busch, Inc.
- Smitten Studios
- Twin Metals, Roofing
- WMUR-TV
- Coco, Early & Associates
- Hanover Inn, Dartmouth
- Re/Max
- Radisson Hotel
- S. R. Sams Construction
- HPI Commercial Real Estate & Development Company
- Newangled Studios
- HDR, Inc.
- Our work seen on:
- ABC Good Morning America
- WMUR NH Chronicle
- Time Commercial
- The Balsam Resort
- Colebrook Chronicle



The Honorable Donna Soucy
State House, Room 120
107 North Main Street
Concord, NH 03301

RE: H.B. 97-fn

Dear Senator Soucy:

My wife, Carol and I own Red Dog Aerial media, LLC a small New Hampshire based UAV services company located in Auburn NH. We have been providing UAV based aerial photography and videography for realtors, news media, production companies, engineering firms, and more since 2013. We understand that there is a negative perception of UAV's (drones) in the general public. As we conduct our business we make every attempt to show the general public the positive side of this exciting technology. Bridges, cell towers, roofs, transmission lines, wind turbines are just a few of the things that can be inspected using UAV technology, limiting the risk of putting a person at height. Deploying a UAV to a fire or accident scene and providing a live video feed to assess the situation as emergency services are on route. That is not the future, it is actually happening now.

As the owner of a UAV services company and a UAV enthusiast, my most pressing concern with HB 97-FN is the negative impact it will have for the development of this technology in the State of New Hampshire. To develop new equipment you must be able to test in flight. If a company sees restrictive UAV laws in New Hampshire, they will find a state that is more UAV friendly. I believe that this in turn will lead to a negative fiscal impact and this should be studied prior to passing any legislation. In contrast, if you create an environment that demonstrates to UAV developers that New Hampshire is open for business our state could take advantage of a worldwide UAV market that is estimated to top \$127 Billion by the year 2020.

We do acknowledge that privacy concerns are valid and they always have been. When cameras became a standard on most cell phones there were privacy concerns based on "bad behavior". People were caught taking photos in what we considered at the time as private areas, locker rooms, dressing rooms, etc. The response was to modify and strengthen



the privacy law to protect people from criminal intent, not to create a “cell phone” law. HB 97-FN approaches the privacy concern by regulating the technology with the expectation that it will protect against criminal intent. This may actually create the opposite. The authors of this bill have actually re-defined the “reasonable expectation of privacy on privately owned real property” in 422-D:3, subparagraph III.a. This definition is now inconsistent with the privacy definition in RSA 644:9 “Violation of Privacy”. The more you define privacy outside of the existing statute that is used to protect someone’s privacy, the more you weaken the existing statute.

Restriction or education? The FAA has already learned a valuable lesson regarding UAV regulation and the lack of education. Regulating a technology that is increasing in popularity at a significant rate has little impact on how people purchase and use the equipment. Most UAV equipment available at local hobby stores falls within the FAA registration guidelines but many consumers have no idea that they need to register. If they don’t know they have to register do we really think they will understand where they can safely and legally fly? The FAA began partnering with some UAV manufacturers and distributors requesting they provide FAA B4UFly documentation. New Hampshire would benefit more by partnering with local UAV developers and service providers to create an education curriculum for people that purchase and fly UAV’s in the state. We at Red Dog Aerial would be eager to participate.

Please refer to the attached document for specific sections within “422-D:3 Non- Government Use of Drones; Exceptions”.

I appreciate your time and consideration in this matter. If we can provide any additional information please let me know.

James Cloutier
Red Dog Aerial Media, LLC
54 Haven Drive
Auburn, NH 03032



422-D:1 Definitions. In this chapter:

- V. "Drone" means a powered, aerial vehicle, excluding a geosynchronous satellite, that:
- (a) Does not carry a human operator;
 - (b) Uses aerodynamic forces to provide vehicle lift;
 - (c) Can fly autonomously or be piloted remotely; and
 - (d) May be expendable or recoverable.

The basic definition of drone referenced in 422-D:1, Paragraph V, includes all UAS platforms including fixed wing, helicopter and multi-copter. Many UAV enthusiasts fly their aircraft without cameras and have been doing so for many years without incident. To restrict this group because they fall into an extremely broad definition of "Drone" creates a hardship for no apparent reason.

422-D:3 Non-Government Use of Drones Limited; Exceptions.

- I. No person shall use a drone to engage in automated surveillance.
- II. No person shall use a drone to engage in surveillance for commercial purposes without the prior consent of each affected person and each owner or possessor of affecting buildings or structures or parts thereof. It shall not be a defense to a charge of violating this chapter that the buildings or structures were not marked with a no-trespassing sign or similar notice.

There are many different technologies that can be used for surveillance. Prohibiting surveillance from a UAV but not addressing surveillance from a vehicle, individual, manned aircraft, etc. does not make sense. If there is a need to address surveillance issues it should be done independent of a specific technology so it covers the individual or organization performing the surveillance and not the technology used.



III.(a) No person shall use a drone equipped with an imaging device to record or view an image or listen to or record the sound of an identifiable individual on privately-owned real property in which the person does not have a legally recognized interest in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately- owned real property if he or she:

- (1) Is within an enclosed structure; or
- (2) Is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air.

“Violation of Privacy” is currently addressed in the New Hampshire Criminal Code, Chapter 644:9. If there is a privacy concern it should be addressed by modifying the existing criminal code that addresses privacy concerns. To address a privacy concern in a bill or law that is focused on a specific technology is short sighted. I believe it would be more appropriate to modify the existing chapter and section within the criminal code if deemed necessary. A persons “private place” is already defined within that Statute.

IV. No person shall:

- (a) Operate a drone over critical infrastructure without the written consent of the owner of the critical infrastructure;
- (b) Allow a drone to make contact with critical infrastructure facility, including any individual or object on the premises of or within the critical infrastructure; or
- (c) Allow a drone to come within a distance of a critical infrastructure facility that is close enough to interfere with the operations of or cause a disturbance to the facility or its occupants.

If this will become law, should the distance from critical infrastructure be defined? This lack of definition may cause confusion and make the law unenforceable since the effected distance is subjective.



VII. No person shall use a drone to harass or stalk another person.

Stalking is considered a criminal offense in NH and is currently addressed under NH RSA Section 633:3-a. By adding the prohibition in relation to a specific technology are we narrowing the definition of stalking? Will this cause an issue upholding the criminal code in the future? If we address stalking in a "drone bill" and an individual is stalking using a newer technology, will it "not be" considered a crime if it is not defined for that new technology?

VIII. Paragraphs I, II, and III of this section shall not apply to a person engaged in a business or profession licensed by the state, or by an agent, employee, or contractor of such person, if the drone is used solely to perform reasonable tasks within the scope of practice or activities permitted under such person's license, and provided that the drone shall not be used to obtain information about the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation, or character of any individual.

How does this paragraph impact existing commercial remote pilots, licensed under FAA part 107? This seems to imply that there is some specific licensing by the Sate of New Hampshire. There is currently no license requirement for commercial drone operation in the state of New Hampshire.



422-D:4 Airport Prohibition. No government or person shall operate a drone within 5 miles of any airport in this state in a manner that does not comply with relevant federal law and Federal Aviation Administration regulations and guidelines in effect at the time.

UAS flight within a specific boundary of an airport is addressed in current FAA regulations and also within AMA guidelines. Information below from the “State and Local Regulation of Unmanned Aircraft Systems (UAS) Fact Sheet dated December 17, 2015

*Substantial air safety issues are raised when state or local governments attempt to regulate the operation or flight of aircraft. If one or two municipalities enacted ordinances regulating UAS in the navigable airspace and a significant number of municipalities followed suit, fractionalized control of the navigable airspace could result. In turn, this ‘patchwork quilt’ of differing restrictions could severely limit the flexibility of FAA in controlling the airspace and flight patterns, and ensuring safety and an efficient air traffic flow. A navigable airspace free from inconsistent state and local restrictions is essential to the maintenance of a safe and sound air transportation system. See *Montalvo v. Spirit Airlines*, 508 F.3d 464 (9th Cir. 2007), and *French v. Pan Am Express, Inc.*, 869 F.2d 1 (1st Cir. 1989); see also *Arizona v. U.S.*, 567 U.S. ___, 132 S.Ct. 2492, 2502 (2012) (“Where Congress occupies an entire field . . . even complimentary state regulation is impermissible. Field preemption reflects a congressional decision to foreclose any state regulation in the area, even if it is parallel to federal standards.”), and *Morales v. Trans World Airlines, Inc.*, 504 U.S. 374, 386-87 (1992).*



422-D:5 Identification. Except for the drone's original equipment manufacturer, each owner of a drone shall identify the drone with the owner's telephone number in permanent ink or other indelible manner of identification. If space allows, the owner's name shall also be included. Identification shall be readily accessible and legible upon close visual inspection.

UAV Aircraft identification is an FAA requirement. Requesting additional identification by the State provides no benefit to local law enforcement and is contrary to current FAA regulation.

From the "State and Local Regulation of Unmanned Aircraft Systems (UAS) Fact Sheet dated December 17, 2015

Consistent with its statutory authority, the FAA is requiring Federal registration of UAS in order to operate a UAS. Registering UAS will help protect public safety in the air and on the ground, aid the FAA in the enforcement of safety-related requirements for the operation of UAS, and build a culture of accountability and responsibility among users operating in U.S. airspace. No state or local UAS registration law may relieve a UAS owner or operator from complying with the Federal UAS registration requirements. Because Federal registration is the exclusive means for registering UAS for purposes of operating an aircraft in navigable airspace, no state or local government may impose an additional registration requirement on the operation of UAS in navigable airspace without first obtaining FAA approval.

Committee Report

New Hampshire General Court - Bill Status System

Docket of HB97

Docket Abbreviations

Bill Title: relative to the use of drones.*Official Docket of HB97:*

Date	Body	Description
12/21/2016	H	Introduced 01/04/2017 and referred to Executive Departments and Administration HJ 2 P. 16
1/11/2017	H	Public Hearing: 01/19/2017 01:30 PM LOB 306
1/26/2017	H	Subcommittee Work Session: 01/30/2017 09:00 AM LOB 306
1/30/2017	H	Subcommittee Work Session: 02/02/2017 03:00 PM LOB 306
2/2/2017	H	Subcommittee Work Session: 02/08/2017 10:20 AM LOB 306
1/31/2017	H	Executive Session: 02/08/2017 10:30 AM LOB 306
2/10/2017	H	Committee Report: Ought to Pass with Amendment #2017-0296h for 02/15/2017 (Vote 15-3; RC) HC 11 P. 20
2/15/2017	H	Amendment #2017-0296h : AA VV 02/15/2017 HJ 7 P. 37
2/15/2017	H	Ought to Pass with Amendment 0296h: MA DV 317-37 02/15/2017 HJ 7 P. 37
2/15/2017	H	Referred to Criminal Justice and Public Safety 02/15/2017 HJ 7 P. 37
2/23/2017	H	Executive Session: 02/22/2017 LOB 306
2/23/2017	H	Committee Report: Ought to Pass for 03/08/2017 (Vote 19-0; CC)
3/8/2017	H	Ought to Pass : MA VV 03/08/2017 HJ 9 P. 16
3/14/2017	S	Introduced 03/09/2017 and Referred to Executive Departments and Administration; SJ 9
4/5/2017	S	Hearing : 04/12/2017, Room 101, LOB, 09:00 am; SC 18
5/4/2017	S	Committee Report: Inexpedient to Legislate, 05/11/2017; Vote 5-0; CC; SC 22
5/11/2017	S	Inexpedient to Legislate, MA, VV === BILL KILLED ===; 05/11/2017; SJ 16

NH House

NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

HB 97-FN ORIGINAL REFERRAL

RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

- DOCKET (Submit only the latest docket found in Bill Status)
- COMMITTEE REPORT
- CALENDAR NOTICE
- HEARING REPORT
- PREPARED TESTIMONY AND OTHER SUBMISSIONS HANDED IN AT THE PUBLIC HEARING
TESTIMONY #1-8; SUBMISSIONS # 1-5
- SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 0296h - AMENDMENT # _____
_____ - AMENDMENT # _____ - AMENDMENT # _____

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED AS AMENDED BY THE HOUSE
_____ FINAL VERSION _____ AS AMENDED BY THE SENATE

OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

PLEASE INCLUDE THE COMMITTEE OF CONFERENCE REPORT HERE IF IT IS SIGNED BY ALL.

NOTE: IF A BILL HAS BEEN RE-REFERRED, PLEASE MAKE UP A DUPLICATE BILL FILE

DATE DELIVERED TO SENATE CLERK

7-18-17

BY:

Neboha G. Cronick
COMMITTEE AIDE