



Scenarios Network

FOR ALASKA & ARCTIC PLANNING

October 22, 2013

Representative Shelley Hughes
Alaska State Legislature
600 East Railroad Avenue
Wasilla, Alaska 99654

Dear Representative Hughes

Please consider my concerns regarding the potential for “over” legislation of unmanned aircraft systems (UAS) technology because of unwarranted fears.

UAS will provide many new capabilities for commercial, research, government, and even recreational users. In order to realize this potential, especially for commercial uses, it is important to acknowledge the tension that will occur among all parties, especially in the area of privacy. We need a better understanding of the technology’s benefits before laws are created restricting their use.

A good example is the issue of public versus private airspace. For example, a manned aircraft flying at 500 feet altitude, in the National Airspace, over a person’s private property is legally permitted to collect air photographs of the property. Is the same true for UAS? What if the altitude is less than 500 feet, i.e. 450 or even 50 feet? Does a property owner have rights to the airspace above their property and to what height? Can they shoot at the manned aircraft at 500 feet or the UAS at 100 feet?

On the otherhand, a significant cause of concern with UAS technology is privacy. Do voyeurism and peeping tom laws apply to UAS? What if the UAS is on your property but you are using the camera on the UAS to peer through a neighbor’s window, perhaps above a privacy fence?

We can all acknowledge this tension created by privacy does exist. And will likely a source of future litigation. But the early uses of the technology, especially for search & rescue, research, and commercial innovation likely deserves some protection.

I can be reached at 907-474-6958 or kwcunningham@alaska.edu should you have any questions.

Cheers

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