

**ALASKA STATE LEGISLATURE
JOINT MEETING
HOUSE TRANSPORTATION STANDING COMMITTEE
SENATE TRANSPORTATION STANDING COMMITTEE**

March 19, 2024

1:01 p.m.

MEMBERS PRESENT

HOUSE TRANSPORTATION STANDING COMMITTEE

Representative Kevin McCabe, Chair
Representative Sarah Vance, Vice Chair
Representative Tom McKay
Representative Craig Johnson
Representative Jesse Sumner
Representative Louise Stutes
Representative Genevieve Mina

SENATE TRANSPORTATION STANDING COMMITTEE

Senator James Kaufman, Chair
Senator David Wilson, Vice Chair
Senator Jesse Kiehl
Senator Robert Myers

MEMBERS ABSENT

HOUSE TRANSPORTATION STANDING COMMITTEE

All members present

SENATE TRANSPORTATION STANDING COMMITTEE

Senator Löki Tobin

COMMITTEE CALENDAR

HOUSE BILL NO. 386

"An Act relating to the obstruction of airports and runways; relating to the obstruction of highways; establishing the crime of obstruction of free passage in public places; relating to the obstruction of public places; relating to the crime of trespassing; relating to the obstruction of navigable waters; and providing for an effective date."

- HEARD & HELD

PRESENTATION(S): Innovations in Autonomous and Unscrewed Systems

- HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 386

SHORT TITLE: OBSTRUCTION OF PUBLIC PLACES; TRESPASSING

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

02/21/24	(H)	READ THE FIRST TIME - REFERRALS
02/21/24	(H)	TRA, JUD
03/12/24	(H)	TRA AT 1:00 PM BARNES 124
03/12/24	(H)	Heard & Held
03/12/24	(H)	MINUTE(TRA)
03/14/24	(H)	TRA AT 1:00 PM BARNES 124
03/14/24	(H)	Scheduled but Not Heard
03/19/24	(H)	TRA AT 1:00 PM BARNES 124

WITNESS REGISTER

MICHAEL GARVEY, Advocacy Director
American Civil Liberties Union
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 386.

MICHAEL PATTERSON, Organizer
Party for Socialism and Liberation
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 386.

JESSIE SAIKI, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 386.

CAROLINA SAAVEDRA, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 386.

JOSH SMITH, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 386.

PHIL MOSER, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 386.

MONICA WHITMAN
representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 386.

CYNTHIA CACHUPIN
Party for Socialism and Liberation
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 386.

MENEKA THIRU, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 386.

MORGAN LIM
Planned Parenthood Alliance Advocates
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 386.

RYAN MARLOW, UAS Program Coordinator
Unmanned Aircraft Systems
Department of Transportation and Public Facilities
Anchorage, Alaska

POSITION STATEMENT: Presented a PowerPoint, titled "Innovations in Autonomous and Unscrewed Systems."

ACTION NARRATIVE

[1:01:33 PM](#)

CHAIR KEVIN MCCABE called the joint meeting of the House and Senate Transportation Standing Committees to order at 1:01 p.m. Representatives Vance, Stutes, Mina, and McCabe were present at the call to order. Representatives C. Johnson, McKay, Sumner and Senators Kiel, Myers, Wilson, and Kaufman arrived as the meeting was in progress.

HB 386-OBSTRUCTION OF PUBLIC PLACES; TRESPASSING

[1:02:09 PM](#)

CHAIR MCCABE announced that the first order of business would be HOUSE BILL NO. 386, "An Act relating to the obstruction of airports and runways; relating to the obstruction of highways; establishing the crime of obstruction of free passage in public places; relating to the obstruction of public places; relating

to the crime of trespassing; relating to the obstruction of navigable waters; and providing for an effective date."

[1:02:45 PM](#)

CHAIR MCCABE opened public testimony on HB 386.

[1:04:05 PM](#)

The committee took a brief at-ease at 1:04 p.m.

[1:04:47 PM](#)

[Due to technical difficulties, the first moments of Mr. Garvey's testimony were not captured on the recording but were sourced from the secretary's log notes.]

MICHAEL GARVEY, Advocacy Director, American Civil Liberties Union (ACLU), testified in opposition to HB 386. He spoke to those who were punished when trying to exercise their rights. He said that when the state regulates speech and expression, it must do so in a narrowly tailored way to set aside the compelling government interest, and he opined that the bill was too broad in its rationale to clear that bar. Government should look for ways to strengthen citizens' ability to exercise their rights and not scare people into silence, he stated.

[1:06:20 PM](#)

MICHAEL PATTERSON, Organizer, Party for Socialism and Liberation, stated that he and his organization, the Party for Socialism and Liberation (PSL), stood in opposition to HB 386. He said his organization engages in First Amendment protected speech and activities and opined that the bill is vague and tries to tell Alaskans that they cannot organize and protest. He said the bill is a waste of time, and he shared his background as a veteran and a Muslim. He reiterated that he and PSL are in stark opposition to the bill and asked the committee to stop wasting time with "these types of bills."

[1:08:39 PM](#)

JESSIE SAIKI, representing self, testified in opposition to HB 386. She said the bill would attempt to scare empowered Alaskans into silence. The bill would clearly violate First Amendment rights, she said, and she urged the committee to stop

the bill from advancing and to protect citizens' freedom of speech and constitutional rights.

[1:09:40 PM](#)

CAROLINA SAAVEDRA, representing self, testified in opposition to HB 386. She said the bill would be detrimental to freedom of speech and freedom of assembly. She encouraged the committee to vote no on HB 386.

[1:12:15 PM](#)

JOSH SMITH, representing self, testified in opposition to HB 386. He shared that he is a U.S. Air Force veteran and grew up in a family of veterans; therefore, respect for the Constitution was always prevalent in the home. The First Amendment was written so people could express needs, he said, and he found HB 386 "deeply problematic" because it would trample First Amendment rights. He suggested to leave the right to peacefully assemble and speak in public spaces alone.

[1:13:25 PM](#)

PHIL MOSER, representing self, testified in opposition to HB 386. He said that protests and First Amendment rights are not always easy or comfortable, but they exist because citizens are not being represented properly. He referred to "Bloody Sunday," the wait for permits to protest, and the aftermath that occurred. He reiterated that he strongly opposed HB 386.

[1:16:02 PM](#)

MONICA WHITMAN, representing self, testified in opposition to HB 386. She stated that the bill would intimidate people, and the governor is attempting to prevent people from protesting, which is a First Amendment right. She related that she had been to protests in Anchorage, and for the most part, they were peaceful. To make it a "felony" to protest and have restrictions felt like an overreach, she opined, and she encouraged the committee to oppose the bill.

[1:17:04 PM](#)

CYNTHIA CACHUPIN, Party for Socialism and Liberation, testified in opposition to HB 386. She stated that she felt the bill was unnecessary and went against the Constitution and freedom of speech. As an organizer, she said there had not been any issues

with protesters rioting or causing any destruction of any kind, and she opined that it is a false narrative to imply that these protests are causing real destruction. She added there are only a few minutes where protesters may be in anyone's way. She offered her belief that the governor does not care about the Constitution.

[1:18:47 PM](#)

MENEKA THIRU, representing self, testified in opposition to HB 386. She said she agreed with previous callers and added that she believed the bill went against her First Amendment rights, and that citizens' fundamental rights should be protected. She asked the committee to stop the bill from advancing, as it would infringe on the rights of Alaskans to make their voices heard.

[1:19:49 PM](#)

MORGAN LIM, Planned Parenthood Alliance Advocates, testified in opposition to HB 386. He stated the bill would criminalize Alaskans who exercise their freedom of speech and assembly. He opined that the language related vague and overly broad laws which could be applied selectively. There is no way for the state to neutrally apply the bill, he said, and it raised more questions than answers about what conduct could be permissible. He offered his belief that the proposed legislation did not make citizens safer or address a current problem for people protesting but was a government overreach. He urged the committee to oppose HB 386.

[1:21:23 PM](#)

CHAIR MCCABE, after ascertaining no one else wished to testify, closed public testimony on HB 386.

[HB 386 was held over.]

[1:21:52 PM](#)

The committee took an at-ease from 1:21 p.m. to 1:28 p.m.

PRESENTATION(S): Innovations in Autonomous and Unscrewed Systems

[1:28:17 PM](#)

CHAIR MCCABE announced that the final order of business would be the Innovations in Autonomous and Unscrewed Systems presentation.

[1:29:48 PM](#)

RYAN MARLOW, UAS Program Coordinator, Unmanned Aircraft Systems, Department of Transportation and Public Facilities, stated that before proceeding with the PowerPoint, titled "Innovations in Autonomous and Unscrewed Systems" [hard copy included in the committee packet], he would be highlighting what the Department of Transportation and Public Facilities (DOT&PF) has been working on the last couple of years with vehicles and drones, and how the technology is being utilized. He said that shortly, he would be showing a video on drone footage and how data is migrated into a useful form. Slide 3, titled "Dalton Highway MP403.5 Washout," was shown as he discussed what he referred to as an "amazing opportunity" for DOT&PF to test technology that the department was deploying with an avalanche program on Thane Road [Juneau, Alaska]. He mentioned live streaming the events and sharing imagery daily being abilities to change the way the department responds to natural disasters. In some cases, he said, the imagery can immediately be shared with teams across the globe. He said the department's goal is to pave the way so that industry can learn from the items being presented and start to deploy them moving forward.

[1:33:18 PM](#)

CHAIR MCCABE shared his belief that to run a drone somewhere, a person must set up temporary flight restrictions (TFRs) and notify the Federal Aviation Administration (FAA), which broadcasts to all private pilots to prevent any conflicts in the air.

MR. MARLOW replied absolutely. He noted that much of the technology beyond visual line of sight (BVLOS) faced issues including low flying aircraft, and many of the items are being leveraged with the FAA.

CHAIR MCCABE offered clarity that the FAA had restricted drones because "you have to be in the line of sight." He asked whether there was discussion with the FAA about getting rid of the line of sight requirement.

MR. MARLOW explained that Remote I.D. [the ability of a drone in flight to provide identification and location information that

can be received by other parties through a broadcast signal] just became mandatory and every platform purchased in the U.S. must be complaint by broadcasting a digital license plate.

CHAIR MCCABE mentioned possible collisions so by being within the line of sight with a drone, you could see, for example, a Piper Cub [light aircraft] coming and be able to adjust altitude.

MR. MARLOW agreed with Chair McCabe's point and said DOT&PF found that one major item they did not have was the ability to communicate with small aircraft. He stressed that better communications were needed.

CHAIR MCCABE brought up an example of when someone is parachuting, there are no radios or transponders, but the pilot communicates with other pilots their activity and location.

MR. MARLOW noted that among items being researched by DOT&PF are an automated voice or the ability for the department to highlight that there is a system in the area and how to move forward with it.

[1:38:53 PM](#)

MR. MARLOW proceeded to slide 5, titled "Mendenhall Glacier Outburst," which featured aerial imagery. He said that at the time, DOT&PF was testing an experimental "LiDAR" [light detection and ranging] system in town. He added that if some of the older systems in the area were flown, it would have taken two days to capture the environment, but with the new technology it took 40 minutes. He illustrated the other imagery on the slide that pertained to innovative types of detection.

[1:41:06 PM](#)

MR. MARLOW continued to slide 6, titled "Wrangell Zimovia MP 11.2 Landslide." He noted that Wrangell was interesting to DOT&PF in that they assisted the search and rescue teams and were also able to try out how weatherproof their systems were. He related the weather conditions and flight times, and that the drones had monitored the slope's stability to assist with rescue crews. The slide showed other imagery of crews at work. He explained the remote scans collected and the processing of data to see what major changes were occurring, which he stated was an incredible use of technology.

[1:44:09 PM](#)

MR. MARLOW moved to slide 7, titled "Research and Development Initiatives." He noted that DOT&PF is constantly working through many groups, and he highlighted documenting avalanches. He said working with enterprise clients, the department could process items in the Cloud and then be able to process those items remotely. He showed slide 8, titled "Remote Data Workflows Into GIS."

[1:45:55 PM](#)

SENATOR WILSON asked what the band or frequency of communication with the drones was.

MR. MARLOW confirmed the use of civilian bands, and that the department would soon be testing cellular enabled systems.

[1:46:53 PM](#)

MR. MARLOW moved through several more slides and touched on the activity of dropping explosives. He said DOT&PF is the first in the nation to be able to carry dangerous weapons, and it is an incredible opportunity as they spread their tools available toward avalanche mitigation.

[1:47:44 PM](#)

SENATOR MYERS asked whether DOT&PF was leaning toward drone drop explosives to replace other activity.

MR. MARLOW replied that it would not be a replacement, but another tool with the ability to map toward remotely operated avalanche control systems.

[1:48:50 PM](#)

MR. MARLOW moved to slide 10, titled "Fatal Traffic Accident Reconstruction," which showed various photos in reference to highway transportation. He said the department has utilized drones on scene and explained how activity can be viewed "overhead" and shared across industries so everyone can have access to the platform. He continued to slide 11, titled "Koyukuk River Bridge Ice Damage," which showed aerial imagery and on-ground activity with routers. He pointed out that it was the first time the department streamed over the area, which is 30 minutes north of Wiseman, Alaska. There was no cellular

service, but he pointed out that the department had the ability to broadcast the live streams and also to 3D scan the activity. He proceeded to slide 12, titled "Search & Rescue," and noted the groups with which DOT&PF worked.

[1:52:53 PM](#)

SENATOR WILSON inquired about the "price tag" for search and rescue.

MR. MARLOW replied that it was approximately \$20,000 but could be as low as \$5,000.

[1:53:29 PM](#)

CHAIR MCCABE commented that a number of state government agencies are interested in drones, and he asked which was the controlling agency.

MR. MARLOW stated that DOT&PF tries not to be the controlling agency but partners and helps write waivers. In response to a follow-up question, he stated that most agencies host training individually.

[1:55:03 PM](#)

MR. MARLOW moved to slide 13, titled "Modernizing Fleet Vehicles." He related an avalanche situation in Valdez, Alaska, and the department's technology providing the ability to see slides coming down in pitch darkness. He further noted the danger of avalanche mitigation. He pointed out that the vehicle in the picture on the slide was equipped with the technology to have the ability to share information in real time. He advanced to slide 14, titled "SMART Project Stage 1 Award," which read as follows [original punctuation provided]:

Project Name: ARROW
Project Start: July 15, 2023
Project Delivery: 18 Months Recipient: Alaska Department of Transportation & Public Facilities
Funding: \$1,944,563
Project Type: UAS
Project Summary: Use drone technology to conduct infrastructure inspections and gather situational awareness data essential to Rural Alaska's way of life on snow, ice, and overland trails, partnering with Alaska Native and Rural Villages.

MR. MARLOW also showed a video that provided a visual perspective to the contents on the slide.

[2:00:20 PM](#)

MR. MARLOW displayed slide 16, titled "Future Directions and Opportunities," and spoke to data collection. He quickly proceeded to slide 17, which featured "Drone Docks." He highlighted the detection of avalanches and dispatch of the systems that can immediately start searching for "thermal signatures" being incredible assets.

[2:01:43 PM](#)

SENATOR MYERS asked how the drone docks fit into the BVLOS permission from the FAA.

MR. MARLOW replied that currently, there are no automated flights, just manually controlled flights.

[2:02:34 PM](#)

MR. MARLOW spoke of flying drones and overriding the sensors, giving one the ability to "send a mission" or go for a free flight to check something out and return back to the same location. He noted that while doing flight planning, data can be loaded in to be able to fly against known issues. He pointed out that there have been drone crashes, such as drones crashing into hillsides, due to lack of training. The ability to load terrain allows the drone to path and fly more efficiently, he explained.

[2:04:05 PM](#)

MR. MARLOW advanced to slide 19, titled "Rapid Compact Deployable & Emergency Communications," which featured images of mobile radios, and he briefly expounded on low-orbit communications. He moved to slide 20, titled "Wildlife Hazard Reduction," which featured a drone dog named Aurora. He explained that Aurora is the first of its kind wildlife hazard reduction robot and would be utilized in Fairbanks for the sole purpose of clearing wildlife. He said Aurora could broadcast to other aircraft and a key item is to make it look like a coyote or fox and act as a predator and invoke a response to wildlife without having to use other mitigation means.

[2:07:43 PM](#)

SENATOR WILSON inquired about bird mitigation and runways.

MR. MARLOW replied that at the moment, Aurora is a stand-alone platform to see how effective it is by itself. He said it would be up to the United States Department of Agriculture (USDA) to make the call.

[2:08:25 PM](#)

CHAIR MCCABE commented that birds and airplanes do not mix well and provided an example that there is nothing to scare the birds away at St. George airport. He said a lot of money is spent to mitigate birds, and he opined that "this is exciting technology."

[2:09:41 PM](#)

MR. MARLOW controlled Aurora for a live demonstration.

[2:10:41 PM](#)

SENATOR KIEL asked whether Aurora was waterproof and to what degree.

MR. MARLOW confirmed it was, and that all new technology was weather-sealed. In response to a follow-up question, he explained he had been testing the technology and had not had issues. He continued to illustrate the capabilities of the robotic dog and stressed how much it was an asset to DOT&PF.

[2:13:29 PM](#)

SENATOR WILSON asked about the general cost and whether it could qualify for a mitigation grant.

MR. MARLOW replied that he would look into the grant but had been working on additional grants. He stated the cost from Boston Dynamics starts at \$70,000.

CHAIR MCCABE commented that it may seem expensive, but when considering the costs of light aircraft, pilots, and fuel, he offered his belief that the cost of the robot seemed to be reasonable. He further commented on the benefits of drones being able to inspect bridges.

[2:14:45 PM](#)

REPRESENTATIVE VANCE asked whether DOT&PF had any partnerships with the Alaska Department of Fish and Game (ADF&G).

MR. MARLOW replied that the department had not yet.

[2:15:42 PM](#)

SENATOR KIEL asked whether DOT&PF was working toward areas such as underwater systems.

MR. MARLOW referred back to the inspection of bridges and noted that a foreseeable goal is pier inspection. He added that there had been tests on the ability to look underwater and in the next couple of years the focus would be heavily on the underwater imagery.

[2:17:13 PM](#)

SENATOR KAUFMAN brought up the cost of managing bird strikes and questioned whether it was the best use of the technology.

MR. MARLOW replied that currently it is demonstration usage. He added that the reason the platform is being used is due to it being the safest; however, there is much more to learn.

[2:18:56 PM](#)

REPRESENTATIVE C. JOHNSON asked whether the technology was bullet proof.

MR. MARLOW replied not yet.

[2:19:33 PM](#)

SENATOR KAUFMAN asked Mr. Marlow to speak to the private sector and how the technology could enhance economic activity.

MR. MARLOW responded that the deployment strategy is to partner with different industries for use across the state, and if it cannot be utilized outside DOT&PF, there would then be better things they could do with their time. Contractors would be able to deploy the systems for many different uses, he said.

[2:22:06 PM](#)

CHAIR MCCABE thanked the presenters and noted that there would be a following demonstration with the robotic dog.

2:22:52 PM

SENATOR KAUFMAN announced future Senate business.

2:23:07 PM

ADJOURNMENT

There being no further business before the committee, the joint meeting of the House Transportation Standing Committee and Senate Transportation Standing Committee was adjourned at 2:23 p.m.