



February 21, 2023

House Committee on Judiciary
Attention: Representative Jason Kropf, Chair
900 Court St. NE
Salem, OR 97301

RE: Opposition to HB 2688

Dear Chair Kropf and members of the House Committee on the Judiciary:

I am writing today to express my opposition to HB 2688. As a Registered Professional Land Surveyor in the State of Oregon and a licensed Remote Pilot under FAA Part 107 I see this proposed legislation as unnecessary and likely unlawful to begin with.

The FAA rules, privacy laws and ORS 837 already prohibit the operation of unmanned systems in a manner that intentionally harasses or annoys the owner or occupant of private property. The proposed changes to ORS 837 under HB 2688 would unreasonably interfere with the vast majority of lawful drone operations and potentially expose Part 107 operators to frivolous lawsuits.

Unmanned Systems are classified as aircraft under the FAA rules and the FAA has exclusive authority to regulate flights in the National Airspace System. The Supreme Court has ruled that a public navigation easement exists within the national airspace outside the "immediate reaches" of a property owner. Oregon should not attempt to interfere with lawful flights within the National Airspace System. If a drone is being operated within the "immediate reaches" then it is already being operated in a manner that harasses a landowner in violation of ORS 837.

I appreciate your time and consideration to this matter and I'm confident that upon careful consideration the Committee will not take action on HB 2688.

Sincerely,

EGR & Associates, Inc.

Ryan M. Erickson, PLS
Professional Land Surveyor