

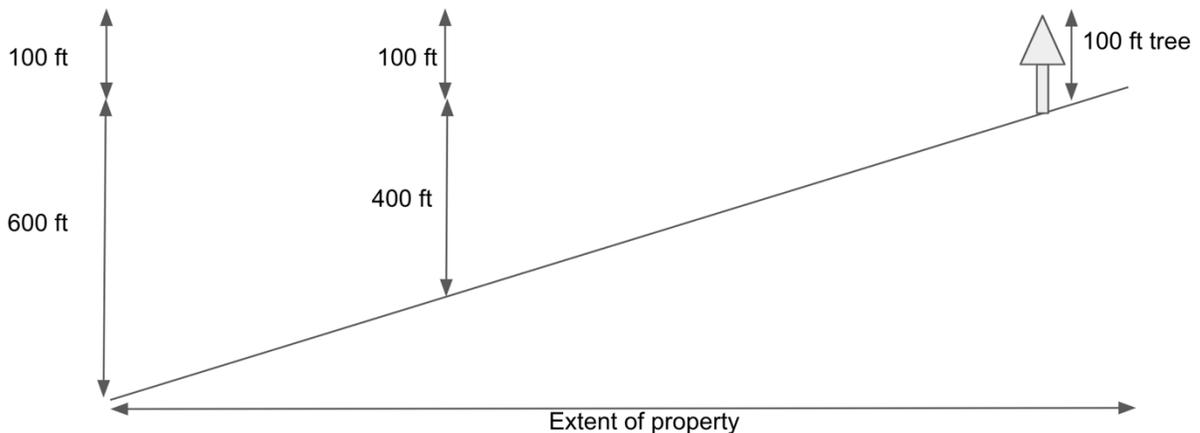
May 15, 2019

Ms. Anita Ramastry
c/o Uniform Law Commission
111 N. Wabash Ave., Suite 1010
Chicago, IL 60602

Dear Ms. Ramastry,

I am writing to express concern at the last minute changes that represent significant departures from previous drafts. The proposed section 5(f) that creates a rebuttable presumption of substantial interference if an unmanned aircraft operates at an altitude lower than the height of the tallest structure on a property is both arbitrary and vague.

For example- the proposed language does not take into account the many number of properties that have elevation changes. In mountainous states, property can cover many large areas with large changes in elevation. If taken literally, the proposed language would create the presumption even for operations in well excess of maximum operational altitudes for unmanned aircraft. While not drawn to scale, the figure below shows the common potential issues with the draft language. An unmanned aircraft operating at 400 feet could still be subject to this presumption- and even if an unmanned aircraft was operating under a waiver at 699 feet, the rebuttable presumption would still apply. This is not a matter of extreme edge cases, but of circumstances that are quite common.



I would also like to echo Patrick McKay's comments about interference with the remote pilot. There are documented incidents where individuals have interfered with remote pilots, and property damage has resulted. A land possessor should have a duty not to interfere with remote pilots, and should be liable in tort for damages resulting from any interference.

Finally, as NetChoice and others have noted, there are a number of issues including emotional injury that simply cannot be addressed in the remaining time.

Sincerely,

A handwritten signature in black ink, appearing to read 'KS', with a stylized flourish extending to the right.

Kenji Sugahara
Attorney-at-Law
OSB 00404
Chief Pilot
A-Cam Aerials

A graduate of Dartmouth College and the University of Oregon School of Law, Kenji is one of the co-founders of A-Cam Aerials. As Chief Pilot, he has been in the industry over 6 years, flying both single and dual operations for many major brand names. He has gained a reputation for excellence that include a number of firsts. His operations included the first operation ever inside a state capitol building, and the first commercially permitted UAS operations at Timberline and Mt. Hood Meadows on Mt. Hood. An attorney, he is one of the most knowledgeable drone policy experts in the world. In 2017, he played a critical role in the FAA's Remote ID and Tracking Aviation Rulemaking Committee. Early that year he wrote a white-paper on Remote Identification and Tracking of UAS. Kenji is a primary writer for the ASTM standards group that is creating the industry standard for Remote ID. He has worked with a state aviation agency as a UAS policy advisor, and advises numerous state agencies and local municipalities on drone issues. He also sits on the UAS stakeholder group that advises the Oregon Legislature on UAS issues.