

OPINION

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Hillary B. Farber: Let's make it easy to be responsible with drones

By Hillary B. Farber

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It was anticipated that almost half a million unmanned aerial vehicles (aka drones) would be sold this holiday season. The Federal Aviation Administration just issued a new requirement for one of the year's hottest new toys.

The registration requirement, designed to be simple, quick and cheap, is aimed at making it easier to identify and locate the operator of a drone if it is involved in an incident requiring further investigation.

Here are five drone tips:

-No humbug about it, time to register with the FAA: All non-commercial operators, 13 years and older, will be required to register before operating in the skies. All that's required is one's name, home address, email address, and \$5 to cover the fee.

-Some retailers include information to encourage operators to learn how to fly responsibly. Best Buy and the Academy of Model Aeronautics (AMA) joined forces to educate consumers on how to fly responsibly. Drones for sale on Amazon include a link to information about drone regulation.

-The FAA, in conjunction with the AMA and the Association for Unmanned Vehicle Systems International (AUVSI), promotes a campaign called "Know Before you Fly" to educate users about the safe and responsible operation of unmanned aircraft. The website includes current and proposed FAA regulations to better understand the what, where and how of flying.

-Watch out for your state laws: Although these initiatives inform consumers of current federal restrictions, they do not include specific information on state and local laws regulating drones. This is problematic, given that 25 states have laws regulating drone use. In 2015, 45 states have considered more than 150 bills related to drones.

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-Sixteen of the 25 states that have enacted laws include restrictions on private users. For instance, Florida makes it a civil penalty to capture an image of privately owned property, or the owner, tenant or occupant of such property without consent. California just signed a law which extends the invasion of privacy law to prohibiting entering the airspace of an individual in order to capture an image or recording of that person engaging in a private, personal or familial activity.

This cheat sheet shows that both public and private efforts are available to support the flying public. However, so much attention on FAA rule making, and this month's announcement of a registration requirement, may have the unintended consequence of leading operators to believe that complying with the FAA requirements is the only thing on the to-do list.

Lawmakers and regulators should look at the registration process as an opportunity to reach operators and inform them that there are state laws restricting drone operation and where and how they can check. The site could include specific reference to state laws and refer operators to a clearinghouse that keeps track of state laws on drones. Even a simple warning to operators that they should check their state law before they fly will go a long way toward ensuring greater compliance with state law and safer skies.

Hillary B. Farber is a professor at the University of Massachusetts School of Law, in North Dartmouth. She is an expert on the regulatory and legislative approaches to unmanned aircraft systems in the United States.