



NATIONAL LEAGUE OF CITIES
THE UNITED STATES CONFERENCE OF MAYORS



March 15, 2016

The Honorable John Thune
Chairman
Committee on Commerce, Science
and Transportation
United States Senate
512 Dirksen Senate Building
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science
and Transportation
United States Senate
716 Hart Senate Building
Washington, DC 20510

Re: Federal Aviation Administration Reauthorization Act of 2016

Dear Chairman Thune and Ranking Member Nelson,

On behalf of the National League of Cities and The United States Conference of Mayors, we are writing to share our concerns about the "Federal Aviation Administration Reauthorization Act of 2016," pending legislation before your committee that proposes to substantially curtail the local regulation of unmanned aerial vehicles (UAVs), commonly known as drones. Specifically, we are writing to express concerns about Section 2142, which largely preempts cities and towns from regulating the operations of UAVs in the future.

While we understand and support establishing a national baseline for certain elements, such as the rules governing the manufacture or safety of UAVs, we do, however, firmly believe that municipalities must retain their longstanding authorities to impose reasonable and appropriate zoning regulations in the future. Much like automobiles and land use development regulations, local leaders know best how to regulate issues that affect their residents in their own backyards. This should be no different in the case of civilian UAVs that may be operating just feet above their citizens' homes, businesses, and public spaces. There simply are no facts that justify this one-size-fits-all preemption of local authority, as proposed in the legislation. In fact, policymakers, including those at the federal level, do not yet know what the broader use of commercial UAVs means for our cities and towns, and cannot reasonably anticipate the challenges that will arise with the expanded deployment of UAVs. We do know that it is unreasonable to expect the nation's local leaders to petition the FAA for relief on what are certain to be a myriad of local circumstances and conditions, and to expect FAA staff to opine on such questions, most of which been the exclusive province of local leaders for so many generations.

Chairman Thune and Ranking Member Nelson

March 15, 2016

Re: "Federal Aviation Administration Reauthorization Act of 2016"

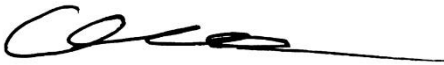
Page 2

While some municipalities have enacted their own UAV-related regulations, particularly with regard to zoning, these actions have been relatively modest in scope and certainly do not warrant the intrusion being mandated in this legislation. Section 2142 is overly broad and unsubstantiated preemption of local authority, offering up a federal regulatory regime long before these issues have been fully vetted or even understood by the federal government, let alone the public in their own communities.

We urge you and the committee to set aside the provisions of Section 2142. We also ask that the establishment of a national baseline for elements including land use and zoning be more carefully considered, and certainly be based on a fuller review and discussion of these issues. Our two organizations would welcome the opportunity to facilitate such a review between federal and local leaders to help shape your future deliberations on these issues.

Please contact us directly if you have any questions.

Sincerely,



Clarence Antony
CEO and Executive Director
National League of Cities



Tom Cochran
CEO and Executive Director
The United States Conference of
Mayors