

STAND. COM. REP. NO. **410**

Honolulu, Hawaii

**FEB 20 2015**

RE: S.B. No. 579  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committees on Public Safety, Intergovernmental and Military Affairs and Transportation, to which was referred S.B. No. 579 entitled:

"A BILL FOR AN ACT RELATING TO UNMANNED AIRCRAFTS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit the use of unmanned aircrafts, except by law enforcement agencies under certain circumstances, to conduct surveillance and establish certain conditions under which law enforcement agencies may use an unmanned aircraft to obtain information;
- (2) Exempt the use of model aircrafts for commercial, hobby, or recreational purposes from the prohibition;
- (3) Require all law enforcement agencies using unmanned aircrafts to report to the Legislature on their activities relating to unmanned aircrafts; and
- (4) Require all courts that issued a search warrant permitting the use of an unmanned aircraft to report certain information to the Judiciary in January of each year.

Your Committees received testimony in support of this measure from Laakea Community, LLC.; Koa'e Community Association; and ten

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individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; and two individuals.

Your Committees find that unmanned aircraft technology is rapidly developing and has the potential to provide manufacturing, operation, and other high quality job opportunities. Unmanned aircraft systems offer efficient and cost saving methods to gather information, but this new and innovative technology may also provide opportunities for abuse. Implementation of this measure enables the State to benefit from unmanned aircraft systems technology while ensuring that the technology will not be used in a manner that will impede the right to privacy.

Your Committees have amended this measure by deleting its contents and inserting language to:

- (1) Authorize the use of unmanned aircraft systems by private, commercial, and law enforcement agencies to conduct surveillance with a warrant;
- (2) Prohibit tracking of individuals without their consent by any privately owned or operated unmanned aircraft system;
- (3) Prohibit data derived from an unmanned aircraft system to be used by a law enforcement agency to look for wrongdoing unless a warrant authorizes the use of the data;
- (4) Prohibit unmanned aircraft systems weapon use by private, commercial, or law enforcement agencies;
- (5) Establish remedies for violations;
- (6) Encourage law enforcement agencies to develop written policies for unmanned aircraft systems use; and
- (7) Make technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental and Military



Affairs and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 579, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 579, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committees on Public Safety, Intergovernmental and Military Affairs and Transportation,

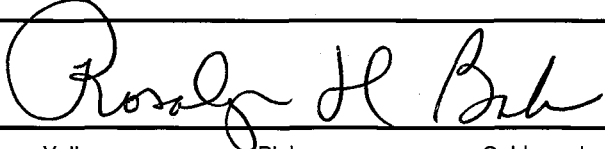
  
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CLARENCE K. NISHIHARA, Chair

  
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WILL ESPERO, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

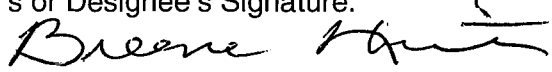
**Record of Votes**  
**Committee on Public Safety, Intergovernmental and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SB 579</b>	Committee Referral: <b>PSM TRA, JDL</b>	Date: <b>2-17-15</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>	<b>-</b>	<b>-</b>	<b>-</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original      Yellow      Pink      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Twenty-Eighth Legislature  
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**Record of Votes**  
**Committee on Transportation**  
**TRA**

Bill / Resolution No.:* <b>SB 579</b>	Committee Referral: <b>PSM/TRA, JDL</b>	Date: <b>2/17/15</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
HARIMOTO, Breene (VC)	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani				✓
ESPERO, Will	✓			
INOUYE, Lorraine R.	✓			
KIDANI, Michelle N.	✓			
KOUCHI, Ronald D.				✓
SLOM, Sam				✓
<b>TOTAL</b>	<b>6</b>			<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

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