



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
Senate Committees on Commerce, Consumer Protection and Health and Judiciary  
February 7, 2018 at 8:30 a.m.

by

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on behalf of  
Vassilis L. Syrmos, Vice President for Research and Innovation  
University of Hawai'i System

### SB 2160 – RELATING TO UNMANNED AERIAL VEHICLES

Chairs Baker and Taniguchi, Vice Chairs Tokuda and Rhoads, and Members of the Committees:

The University of Hawai'i (UH) respectfully opposes SB 2160 which relates to regulation, permitted uses and enforcement of Unmanned Air Systems (UAS) operations.

The Applied Research Laboratory at the University of Hawai'i (ARL-UH) has been building community consensus and educational uses of UAS for Hawai'i in conjunction with the FAA designation of Hawai'i as a national UAS test range.

Funding from Legislature provided by Hawai'i Act 208 of 2015, and subsequent guidance from DBEDT, has enabled this new start. University of Hawai'i UAS operations are covered by at least four federal policies of formal authorization, including the FAA Educational Interpretation for UAS dated May 4, 2016; the provisions for including UAS under Public Aircraft Operations in Title 49 of the United States Code (49 U.S.C.) §§ 40102(a)(41) and 40125; the authority granted by FAA for the University of Alaska-UH to issue Certificates of Authorization under the UA-FAA UAS Test Site contract; and FAA Remote Pilot Certification FAR 107 as amended by waivers and rule changes.

All of the airspace-related flight restrictions included in SB 2160 are preempted by federal law, where control of airspace currently resides. The flight restrictions given in SB 2160 would prevent much of UH's currently-FAA authorized UAS operations and interfere with the performance of Act 208. No doubt these effects are unintended consequences and not a desire of the bill authors. The University of Hawai'i supports the control of nuisance and malicious use of UAS and the protection of privacy underlying SB 2160.

The Applied Research Laboratory at UH is charged with assisting Hawai'i to move forward in best practices with regard to UAS through Act 208 and is ready to assist the SB 2160 team to address the many issues in the current measure.

Thank you for this opportunity to offer comments.