HB 644 (2025) – Hearing date: 2025-02-05 14:00, LOB Room 305–307

Resources Committee – Hearing testimony of **Drew McCalmont**

Qualifications – Licensed private pilot (~250 hours) and soloed in gliders (sailplanes) as a teenager. One of the first Part-107 Licensed commercial drone pilots in the United States. Deeply tied into the New England aviation community and from a family of pilots. Travel blogger and perform ad-hoc commercial drone work. Academic background is in physics and primarily work as a Data Scientist.

Desire 1: Ability to fly drones and small unmanned aerial systems (sUAS) on state parks in order to capture scenic photos. This was previously an unregulated and allowable activity on state land.

Desire 2: Promote tourism, drone hobby, and STEM fields in NH through aerial photography, which has significant viewership on social media.

Background: The FAA began issuing Part-107 commercial drone licenses in 2016, which allows drone pilots to fly for hire. Since 2016, the FAA regulations with respect to drones have matured. Starting in 2018, recreational drone pilots, who do not already have Part-107 certification, have been required to take an online safety tutorial called TRUST, which is administered through third parties, such as the Academy of Model Aeronautics or the Boy Scouts of America. All drones greater than 250 grams are required to register with the FAA and display a registration number that is traceable to the pilot. Circa 2020, the state park system began displaying "no drone" signs at parks and on their website, without going through the formal rule-making process.

In 2022, I testified in support of a similar bill, HB 1292 (2022) and I testified twice in 2023 for the public hearing and a working session on HB 434 (2023). As of 2024, all drones are required to transmit their location using a digital radio transponder system called RemoteID.

Precedent: Both the White Mountain National Forest and town land *are permissible* flying sites. There is currently no municipality in NH that bans drone launches on town land.

Discussion: This bill allows for drone launches and landings on state park land with reasonable limitations and safeguards. This is not a referendum on drone use in other cases. **The state government has no jurisdiction over drone and airspace rules once the drone is in flight.** The state can only specify where drones can be launched and landed on state land. **Drone flight over roads, houses, and people are already heavily regulated under federal rules**. Federal regulations always limit drone altitude to 400-ft above ground level. Federal regulations already prohibit drone flight (and stipulate altitude minimums for full-sized aircraft) over Protected Wilderness Areas, which represent large areas of the White Mountains.

Several states have passed drone privacy bills. Florida and Tennessee have drone privacy laws worth considering. Oregon has even gone as far as to attempt to regulate airspace within 400 of the ground, which attempts to preempt federal airspace regulations and thus not on solid legal ground. Tricia Lambert, The NH Aeronautics Administrator, has indicated she is not interested in having NH preempt federal regulations.

This bill improves upon the 2022 proposal in several areas:

1. Only applies to State Parks and not the Statewide trail system
2. The pilot education requirement for both commercial and recreational pilots
3. Permission requirements are similar to WMNF policy
4. Fixes several state/federal overlap of rules
5. Commercial permits. State parks can collect a fee from commercial users. Again paralleling the WMNF
6. This bill bans drone use at the Flume Gorge in peak season and Cannon Mountain during ski operating hours
7. Added clause that prohibits flights that would interfere with the reasonable enjoyment of the park by other users

Drones and sUAS represent significantly less burden on wildlife than currently permitted activities. Hunting and motor vehicle traffic is currently permitted in state parks, which are both noisier and significantly more dangerous (even lethal) than drones in indisputable statistics. Drone manufacturing safety and integrity is already regulated under federal rules.

Lastly, expanding site access for this rapidly growing drone technology represents a unique opportunity for New Hampshire and the coveted New Hampshire Advantage. Drone photography already gets featured in tourism and marketing campaigns, especially on social media. For example, NH Tourism's page on Instagram (@visitnh) has over 154k followers. Maine: 187k followers, Vermont: 92k followers, Mass.: 150k followers, Quebec: 236k followers. Having more aerial photography specifically of New Hampshire state parks will immediately give the state parks system more social media presence and increased revenues. In addition, this will promote safe drone use throughout the state. The underlying technologies with drones are related to robotics, an area where NH has been a leader in with youth FIRST Robotics. I cannot think of a better way to encourage young people to get outdoors to experience the beauty of New Hampshire's wilderness while also getting them interested in STEM fields.

Thank you,

Drew McCalmont

Hollis, NH

Appendix

Figure 1: Comparison of drone activities under federal rules

	Commercial drone users	**Recreational drone users**
Education	Rigorous Part-107 certification	TRUST online tutorial
Exam preparation	Multiple days*	< 1 hour
Can fly for hire	Yes	No
Must register drones over 250 g (0.55 lbs) with FAA	Yes	Yes
Fly over people and vehicles	Yes	No
Fly over crowds of people (open-air assemblies)	No	No
Fly at night with safety lights	Yes	No
Remote ID transponder beacon requirements in 2023	Yes	Yes

*Easy add-on if already a licensed Part-61 pilot (full-sized aircraft pilot)
Source: https://www.faa.gov/uas/commercial_operators/
Source: https://www.faa.gov/uas/recreational_fliers/

Figure 2: Overcrowding at Artists' Bluff in Franconia. Crowds have a far greater impact on the park than that of drones and more can be done to limit crowds.