

Opinion: Brown wrong to not sign drone bill

By Ted Gaines

Gov. Jerry Brown made a serious error vetoing my Senate Bill 168 and by doing so put emergency responders, property and the lives of Californians unnecessarily at risk.

SB168 tackled a new menace in California, unauthorized drones in emergency zones. Drones are amazing, and I want to see the industry flourish in California. I want to see hobbyists flying them and having fun, businesses using them to deliver packages, take photos or in any other creative ways we can't even imagine. And I want to see public safety using them to help save lives and property. But they have no business flying in dangerous emergency areas and interfering with public safety.



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My bill would have given civil immunity to emergency personnel who damaged a drone in the course of their duty. It would have also penalized that reckless drone use with up to six months of jail time, which is consistent with current law regarding interference, and increased the potential penalty for interfering up to \$5,000.

Those penalties were already lower than what I wanted. I wanted something stronger that would send a clear message to

anyone piloting a drone over a fire that their actions are contemptible and worthy of punishment. But I toned down the penalties to try to meet the governor in the middle, knowing that he is sensitive to creating new crimes in California.

Apparently, there is no halfway point with the governor on crime. While I appreciate a thoughtful discussion of our penal system, Brown's veto of this important legislation shows a reflexive, anti-punishment strain that threatens every Californian who is fighting fires and responding to life-saving emergencies. Brown, the motive force behind the prison "realignment" that has pushed thousands of criminals back out on the street, has let his ideology again trump the needs of citizens around the state.

New technologies will lead to new crimes. Laws should adapt to the existing environment to provide the public safety that should be government's highest priority. It is absurd to say the advent of the automobile, or the internet, or credit cards, or drones, will not lead to unforeseen situations that are unique and deserve unique laws to address them.

Wildfires have savaged our state this year. More than a thousand homes are now sad piles of ash and people around the state are just beginning to think about the painful task of rebuilding or relocating. But probably the most compelling image of the fire season was the terrified people on Interstate 15 running for their lives as the North Fire swept over that freeway and torched their vehicles as they fled.

Drones in the air caused the North Fire air tankers to abandon the scene and divert their flame-retardant loads away from the fire. By the time the drones exited and it was safe to resume their mission, 15 critical minutes had passed. The fire engulfed the cars. We are lucky that only vehicles were damaged, but next time, there might not be an exit route and we may be mourning a loss of life.

Despite his “no new crimes” mantra, Gov. Brown did sign one drone-related bill that expanded a penalty. The bill aimed to protect celebrities from paparazzi using drones to snap pictures of the stars. So, Brown will add new penalties to protect the Kardashians, but not firefighters or families living in wildfire areas.

To borrow from another governor, I want Brown to know that “I’ll be back.” I want to work with him for a solution next year when this problem will likely be far worse than it was this year, because this Christmas it’s expected that 1 million new drones will be sold as gifts. The operators need to understand all air safety laws and also use common sense when it comes to operating what can be dangerous toys. But if they ignore the law and expose everyone to direct and unnecessary risk, they should be punished. SB168 would have done just that.

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