



STATE OF NEW HAMPSHIRE  
DEPARTMENT of NATURAL and CULTURAL RESOURCES  
**DIVISION of PARKS and RECREATION**  
172 Pembroke Road Concord, New Hampshire 03301  
Phone: (603) 271-3556 Fax: (603) 271-3553  
Web: [www.nhstateparks.org](http://www.nhstateparks.org)

January 12, 2022

The Honorable Andrew Renzullo  
and the Resources, Recreation and Development Committee  
Legislative Office Building, Rm 305  
33 North State Street  
Concord, NH 03301

**RE: HB 1292 permitting the use of drones or unmanned aerial vehicles on the statewide trail system.**

Dear Chair Renzullo and Members of the Committee,

Please accept this testimony on behalf of the Department of Natural and Cultural Resources (“Department”), Division of Parks and Recreation (“Division”) regarding HB 1292 permitting the use of drones or unmanned aerial vehicles on the statewide trail system. **The Division is very concerned with the impact that this bill would have on the recreational experience of our visitors and continued access to the trails in the statewide trail system that cross private land. Protecting the quality of that experience is one of the purposes of our administrative rules.**

Impact of drones on other recreationists. We are concerned that drone use on hiking trails on lands owned by the state will negatively impact other recreational users of the trail system who are otherwise expecting to be able to enjoy a quiet experience on the trail. Our current administrative rules governing the use of department lands state the following:

Res 7301.07 Restrictions in Public Use.

(b) DRED (DNCR) properties, or portions of a property, shall be closed or restricted for public access by posting and /or by public notification by authorized DRED personnel if...

(6) The quiet enjoyment of the recreational use of the property by other users or abutting landowners is being disturbed.

Res 7402.01 Definitions under Res 7400 RESERVED AND PRIVILEGED USE OF DRED LANDS, FACILITIES AND RESOURCES also addresses visitor experience:

(d) “Degradation of the visitor experience” means the event, activity or use disrupts traditional public park use or unduly inconveniences abutting landowners or the general public and causes or might cause any of the following conditions:

(1) Impose on or conflict with the use of DRED lands, facilities and resources by the public at large; (note: resources would include wildlife)

(2) Excessive noise so as to deny others their right to quiet enjoyment of their recreational use of DRED lands, facilities and resources; or

(3) Multiple complaints from other visitors or parties, as determined by the department.

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Although the bill prohibits video surveillance of private citizens, we wonder how the operator of the drone can be sure that no one else is in the area and believe that this provision is unenforceable and visitor's privacy would be affected.

Loss of recreational access. We are dependent on the willingness of private landowner to allow trails in the statewide trail system to cross their lands for public use. We are very concerned that those landowners would no longer permit the public use their property if they were required

Commercial Use. Lastly, under administrative rules a special use is required for commercial use. (e) "Special use" means any event, activity or use that is beyond the normal or routine recreational use of a specific DRED property or an event, activity or use requiring a permit under Res 7403.01.

Thank you for the opportunity to provide testimony on this bill. Please let me know if I can answer questions or provide any additional information.

Sincerely,



Philip A. Bryce, Director

Cc: Sarah L. Stewart, Commissioner, Department of Natural and Cultural Resources

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