



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 401		DATE: 1/30/2023	
COMMITTEE: Special Committee on Homeland Security			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: BEN TRAVLOS		PHONE NUMBER: 573-893-1400	
REPRESENTING: MO FARM BUREAU		TITLE: LOBBYIST	
ADDRESS: 301 S COUNTRY CLUB DR			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
EMAIL:	ATTENDANCE:	SUBMIT DATE: 1/30/2023 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: GENE CHASTAIN		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: gene@chastainlegalgroup.com	ATTENDANCE: Written	SUBMIT DATE: 1/27/2023 8:04 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Testimony of Gene and Tamara ChastainThe issue of the use of drones and other unmanned aircraft over people’s farms and homes without consent has become relevant to my wife and I here on our farm.During this last deer hunting season, as in past hunting seasons, we have had hunters flying drones over our farm for the purpose of herding deer off our land. Drones flying over and across our property end up scaring our horses and livestock, which could cause them or the people caring for them serious injury or death. I could imagine a herd of cattle being harassed or frightened to the point of stampeding through a fence onto a highway, to be struck by oncoming traffic, all because a hunter wanted to have a drone deliver a herd of deer to him to shoot. Missouri farmers buy land to raise crops, livestock, and enjoy country life. We should not have to have drones invade our personal space on our property without our consent. This amounts to trespassing, although there currently is not a law naming it as trespassing in Missouri. What good are purple paint laws when they can be flouted by drones. Local people know that my wife and I do not hunt the local deer, and during hunting season especially, it is also known that they hang out with our horses and livestock in their paddocks to eat, sleep and stay safe. We do not have any issue or problem with those who hunt deer for sustenance, however, we choose not to. Even if we did hunt for deet or other wildlife, we would be in competition on our own land with those who are using drones to move the deer/wildlife off to other areas for themselves.Having drones fly low (25 to 100 feet) over our property year-round checking on and herding the deer off of our property, while spooking our livestock/horses in the process, seems like a violation of our property and privacy rights. I wonder how happy drone users would be if other drone users harassed their children, spied on them, and violated their private lives in their own backyards. I have even heard of people flying drones up to windows to look inside people’s homes. There has to be a red/purple line set, hopefully at our property line, to protect citizens, preserve our privacy, and property rights. Passing Bills 178, 179, and 401 would be a good starting point.Not only can the drone operators have free unfettered access to your property, but they are themselves protected while they are doing so. If you shoot, destroy, disable or in any way affect their drone, you can be criminally charged with destruction of personal property, as well as civilly sued for damages. All of this while on your own property. Absurd? Yes. Actuality? Yes. Consider the Missouri Castle Doctrine and the Purple Paint statutes:The purple paint statute (Section 569.145 of the Revised Statutes of Missouri) allows Missouri landowners to mark trees or posts with purple paint as a warning to would-be trespassers. It fulfills the same function as a “no trespassing” sign, a fence, or telling someone not to come onto your property.The Castle Doctrine Statutes (Sections 563.031 and 563.041) allow the use of force not only to protect the lives, but also the property of those covered by the law. Under the Castle Doctrine, the use of force is allowed when someone is trespassing (Section 569.140) if there were no-trespassing signs (posted) or if there was purple paint marking as provided by Section 569.145.If a drone trespasses on my property, I have no recourse at all to protect me, my family, my land/home, or my livestock. If I do, I

can be criminally charged with destruction of personal property, as well as civilly sued for damages, all the while the drone is buzzing around on my land harassing me and my livestock. One other issue is that drones can take photographs and video while they are being operated. Making great surveillance tools for would be thieves. How helpful would it be to know the comings and goings of your potential victims; what door they leave from, what windows did they close, did they lock the back door before they left, all information readily available from their video footage. For us, it is also, did they lock all the doors on the barn, were any valuable tools left out or unsecured. We have a neighbor who someone had started their tractor in an attempt to steal it, but could not figure out how to operate it, so they left it running and got out of it. The tractor ran until the engine was damaged because the owner did not know it was running. Again, the cost of that damage is his out-of-pocket expense as the landowner. Many other states have drone laws offering basic trespassing protections for landowners. Missouri should be among them. I understand that recreational use of drones has become very popular, and that enthusiast organizations will say that the FAA rules already address these issues. The fact is, they don't, and where they do, enforcement is near impossible. Please feel free to contact an FAA field office, and see what, if anything, they can do to assist someone. They will need you to obtain the identity of the drone operator, the drone identification number, and proof that the owner was the operator at the time the drone was on your property as well as video footage of the drone above your property, and then they may be able to assist you, over the phone. I have personally spoken with a gentleman who participated in drafting the FAA rules and reviewed their guidelines/regulations on behalf of drone enthusiasts. His position is that the passage of Bills 178, 179, and 401 will impinge on the FAA's authority. In fact, since 2013, 24 states (Alaska, Arkansas, California, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Mississippi, Montana, Nevada, North Carolina, North Dakota, Oregon, Pennsylvania, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, and Wisconsin) have passed drone legislation similar to Bills 178, 179, and 401 to further protect their citizens. This legislation puts citizens' interests and rights above hobby drone operators. Missouri, equally as these other states, has the right to legislate regarding property and privacy laws, on behalf of its citizens for their protection, as well as the right to enforce laws to ensure that protection. The FAA is not going to come to rural Missouri every time a drone flies below 400 feet over someone's livestock and scares them into hurting themselves or into a stampede hurting others. By the way, when our livestock is hurt or hurts someone else, who pays for that? Not the drone operator, they are miles away, completely undetectable, and likely do not have insurance to cover their negligence. This additional cost burden on homeowners and farmers of Missouri is completely preventable. The person I spoke with who helped draft the FAA regulations, indicated to me that a new requirement for the identification of drones would take effect this year. The difficulty with that is it again puts the burden on the landowner to determine who the owner is. He indicated that you should be able to point your phone at the drone, and it would give the identification of the owner with a QR code or some identifying application. The problem with this is; number one, you would have to catch the drone with your phone just right to get that information, number two, you would still have to show that the owner was the one operating the drone. Keep in mind, you are expected to aim your phone this while trying to contain your upset livestock. By passing Bills 178, 179, and 401, hopefully the Missouri Department of Conservation, as well as local law enforcement, could participate in enforcement, and protect both citizens and wildlife. Please support this issue for rural Missourians, and because it is just the right thing to do. Thanks, Gene and Tamara Chastain P.O. Box 218 Humansville, MO 65674



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: SAM LICKLIDER		PHONE NUMBER: 573-418-5063	
REPRESENTING: MISSOURI REALTORS		TITLE: LOBBYIST	
ADDRESS: 100 EAST HIGH			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 1/30/2023 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: SHANNON COOPER		PHONE NUMBER: 660-890-1432	
REPRESENTING: MISSOURI CATTLEMENS ASSOCIATION		TITLE: LOBBYIST	
ADDRESS: 208 MADISON			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 1/30/2023 12:00 AM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 1/30/2023 11:39 PM
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This Bill and Proposed Legislation goes way to far and provides for harsh penalties! The Air is Free and no one person owns it. Government Surveillance of flying Unmanned Aircraft and Helicopters invades every ones space and privacy as it happens all of the time. Defeat this Bill, it will lead to Tierney!



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: KORTNIE HUDDLESTON		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: kortniehuddleston@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 1/29/2023 11:42 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

I support making it illegal for someone other than the property owner from using unmanned aircraft/drone use over private residences, but I do NOT support making it unlawful for the public or groups to use unmanned aircraft and drones over all private property or open air facilities. There is no reason to shield property that is not someone's personal residence from drone use unless that facility or industry is trying to hide something from the public. Drone surveillance has been an essential tool in the fight against environmental injustice, it has helped locate and document abuses that have been committed or damage that has been covered up.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: MICHAEL DREYER		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: mdreyer93@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 1/29/2023 11:41 AM
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I support making it illegal for someone other than the property owner from using unmanned aircraft/drone use over private residences, but I do NOT support making it unlawful for the public or groups to use unmanned aircraft and drones over all private property or open air facilities. There is no reason to shield property that is not someone's personal residence from drone use unless that facility or industry is trying to hide something from the public. Drone surveillance has been an essential tool in the fight against environmental injustice, it has helped locate and document abuses that have been committed or damage that has been covered up.