

CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE HOUSE BILL 1629**

Chapter 261, Laws of 2022

67th Legislature  
2022 Regular Session

AERIAL IMAGING TECHNOLOGY—STUDY OF USES

EFFECTIVE DATE: June 9, 2022

Passed by the House February 15, 2022  
Yeas 72 Nays 26

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate March 4, 2022  
Yeas 40 Nays 8

DENNY HECK

**President of the Senate**

Approved March 31, 2022 4:28 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1629** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

April 1, 2022

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 1629**

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Passed Legislature - 2022 Regular Session

**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** House Community & Economic Development (originally sponsored by Representatives Dolan, Wylie, Shewmake, Duerr, Walen, and Chase)

READ FIRST TIME 01/24/22.

1       AN ACT Relating to a comprehensive study of aerial imaging  
2 technology uses for state agencies, special purpose districts, and  
3 local and tribal governments; and creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       NEW SECTION.   **Sec. 1.** The legislature finds that aerial imagery  
6 is a critically important tool that has wide applications in making  
7 governmental decisions in a variety of settings. For example: (1) The  
8 Washington state military department uses aerial imagery for  
9 emergency management; (2) the department of transportation uses  
10 aerial imagery for constructing roads and tracking culvert  
11 replacement and fish migration; (3) the department of ecology uses  
12 aerial imagery to create a coastal atlas to monitor oil spills in the  
13 ocean and changes to the Washington coastline; (4) agencies that  
14 monitor growth management and zoning use aerial imagery to monitor  
15 urban density and to designate and protect critical areas; (5) the  
16 department of natural resources uses aerial imagery to monitor forest  
17 health, riparian buffers, and timber harvest; (6) conservation  
18 districts use aerial imagery to plan salmon restoration projects and  
19 to assess fire and flood damage; (7) the Nisqually tribe is using  
20 aerial imagery to monitor the rerouting of the Nisqually river due to  
21 inadequate water passage under the Nisqually bridge; (8) local

1 emergency management agencies use aerial imagery for public safety  
2 efforts; (9) county assessors use aerial imagery as an integral part  
3 of their valuation activities; (10) school districts use aerial  
4 imagery to develop school safety plans and to site future buildings;  
5 (11) state universities use aerial imagery for promotional material  
6 and research purposes; (12) the emergency management division could  
7 use aerial imagery to locate damaged structures and bridges and track  
8 emergency detours; and (13) state parks could use aerial imagery to  
9 track structures on park land and for land management.

10 The legislature also finds that state, local, and tribal  
11 governments that currently use aerial imaging data are purchasing it  
12 independently, often resulting in multiple payments for the same data  
13 to be collected. The legislature intends to commission a study to  
14 assess a more cost-effective way to purchase cutting-edge aerial  
15 imagery at the state level, which would allow individual  
16 jurisdictions that seek aerial imagery to purchase such data from the  
17 state. The legislature also intends to identify the myriad uses for  
18 which state agencies, special purpose districts, and local and tribal  
19 governments could benefit from having aerial imaging data to conduct  
20 everyday business, protect property, assist citizens, conduct  
21 emergency planning, and respond to disasters.

22 As the use of aerial imaging by state, local, and tribal  
23 governments becomes more prevalent, and pending the results of the  
24 study, the legislature finds that it is important for the office of  
25 the chief information officer to evaluate how aerial images are  
26 protected against data breaches and unauthorized disclosure, as well  
27 as how authorized users are identified for various types of aerial  
28 imagery used by state agencies, local governments, special purpose  
29 districts, and tribal governments. The legislature also finds that it  
30 is important for the office of the chief information officer to  
31 evaluate the range of privacy issues involved in aerial imaging and  
32 how the privacy rights of Washingtonians might best be protected as  
33 usage of aerial imaging by government proliferates.

34 NEW SECTION. **Sec. 2.** (1) Subject to the availability of amounts  
35 appropriated for this specific purpose, the department of commerce,  
36 in collaboration with the office of the chief information officer,  
37 shall conduct a study for the use of aerial imaging technology for  
38 state, local, special purpose district, and tribal government  
39 purposes, leveraging the state's existing geospatial imaging program.

1 (2) The study conducted by the department of commerce must, at a  
2 minimum:

3 (a) Include an assessment of:

4 (i) The ways in which state agencies, local governments, special  
5 purpose districts, and tribal governments currently use aerial  
6 imaging technology;

7 (ii) The ways in which state agencies, local governments, special  
8 purpose districts, and tribal governments could benefit from having  
9 access to aerial imaging technology, as determined by interviewing a  
10 sample of state, local, special purpose district, and tribal  
11 government officials to assess expectations for aerial imaging data;

12 (iii) The types of imagery currently used or needed; and

13 (iv) The frequency with which various types of imagery are  
14 currently used or needed;

15 (b) Determine the minimum resolution level of aerial imaging that  
16 would best serve the majority of users statewide;

17 (c) Estimate the current statewide expenditures by state, local,  
18 and tribal governments, and special purpose districts, for aerial  
19 image acquisition and organization;

20 (d) Estimate the cost of procuring, once per biennium, and  
21 administering a high-quality aerial imagery program on a statewide  
22 basis;

23 (e) Quantify the economies of scale between individual flights  
24 procured by individual jurisdictions as compared to the cost of  
25 procuring a single flight to obtain aerial imaging of the entire  
26 state;

27 (f) Determine the best available mechanism for cost sharing  
28 between jurisdictions for the acquisition and management of aerial  
29 imagery; and

30 (g) Make recommendations about current sources that provide  
31 imaging data, further steps to improve the collection of aerial  
32 imaging data, and the steps necessary to implement a comprehensive,  
33 cost-efficient, aerial imaging collection and distribution system to  
34 serve state, local, special purpose district, and tribal officials  
35 statewide through the state's existing geospatial program.

36 (3) In conducting the study pursuant to this section, the  
37 department of commerce must convene and define the scope of the study  
38 and assist in the design of information collection.

39 (4) In conducting the study pursuant to this section, the  
40 department of commerce must also seek recommendations from the office

1 of the chief information officer regarding ways in which the use of  
2 aerial imaging technology could be limited by state law to strike an  
3 appropriate balance between effective and efficient utilization for  
4 legitimate government purposes while doing no more imaging than is  
5 necessary and at no higher resolution than is necessary.

6 (5) In implementing this section, the department of commerce may  
7 complete the study directly or, at its discretion, contract the  
8 study, or portions of the study, to a third party or parties chosen  
9 by the department of commerce. However, the final delivered product  
10 must be reported by the department of commerce.

11 (6) Consistent with RCW 43.01.036, the study required by this  
12 section must be completed and the results reported to the legislature  
13 by June 1, 2023.

Passed by the House February 15, 2022.

Passed by the Senate March 4, 2022.

Approved by the Governor March 31, 2022.

Filed in Office of Secretary of State April 1, 2022.

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