FAA Update

Safe & Incremental Integration of UAS

Presented to: IMLA Mid-Year Seminar

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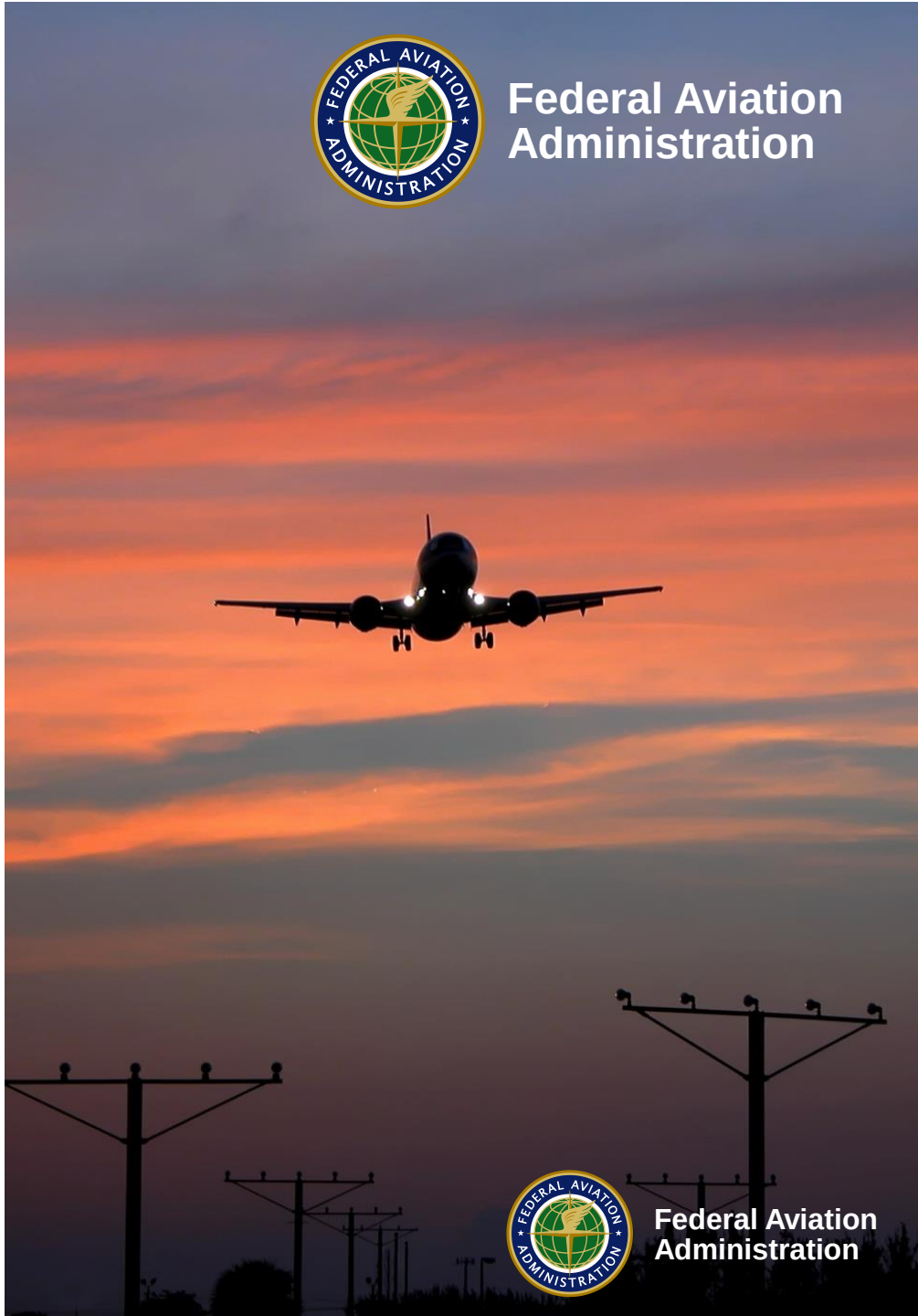

Safety is Our Mission

- **The FAA has the responsibility to maintain the safety of the NAS and people and property on the ground.**
- **We have a plan for safe and incremental integration.**
- **We are making progress to achieve that goal.**

Overview of Presentation

- **Current Ways to Operate UAS**
- **Rulemaking**
  - Small UAS Rule
  - Micro UAS ARC
  - Registration Rule
- **State and Local Legislation**

Current UAS Operations

- **Public Aircraft Operation**
  - Public entity for a governmental function. (49 U.S.C. §§ 40102 & 40125).
    - Advisory Circular 00-1.1A (Feb. 12, 2014).
  - No compensation for the operation.
  - Certificate of Waiver or Authorization (COA)

Current UAS Operations

- **Model Aircraft (P.L. 112-95, Sec. 336)**
  - Defines “model aircraft” and establishes operational rules for modelers to follow.
  - Interpretive Rule – June 2014. 79 Fed. Reg. 36172.
- **Not subject to future FAA rulemakings.**
  - Will not need to follow the Small UAS rule.
  - May be subject to general rules applicable to all aircraft such as airspace rules.
  - Must register if .55 lbs. or heavier.
- **Congress affirmed FAA’s authority to enforce against unsafe operations.**

Current UAS Operations

- **"Section 333" Exemptions**
  - Allows exemption from airworthiness certificate requirement. (P.L. 112-95, Sec. 333)
    - UAS does not pose a hazard to users of NAS, public, or national security considering size, weight, speed, operational capability, proximity to airports and populated areas, and operation within visual line of sight.
  - No exemption for pilot certification.
  - Grant of exemption to FAA regulations.
    - E.g., Operational, maintenance, pilot requirements.
    - Exemption authority from 49 U.S.C. § 44701(f).
    - Exemption process in 14 C.F.R. part 11.

Small UAS Rule

- **Risk-based approach that will open the door to commercial operations.**

- **NPRM published in February – FAA is currently reviewing public comments and drafting Final Rule.**

Small UAS Rule

- **Proposed operational limitations include:**
  - Under 55 lbs.
  - Within line of sight.
  - Below 500’ AGL.
  - Not over people.
  - Daytime.
- **Pilot certificate and UAS registration required.**
- **Also asked for comment on Micro-UAS proposal. (Below 4.4 lbs.).**

Micro UAS ARC

- **Aviation Rulemaking Committee (ARC)**
  - Forum for discussion and development of recommendations to the FAA.
  - Chartered Feb. 24, 2016.
  - Focus on a performance based standard to allow micro UAS to be operated over people.
- **ARC Governance:**
  - Membership: Manufacturers, Technology Interests, UAS Users, Traditional Aviation Community, UAS Associations.
  - Recommendations due April 1, 2016.

Small UAS Registration

- **Concern:** Increase in reports of small UAS near airports, interference with firefighting, and injuries to people on the ground - with expected large number of sales around holidays.
- **Federal Register Notice – Oct. 19, 2015**
  - Clarified that statutory aircraft registration requirements apply to UAS, including model aircraft.
    - 49 U.S.C. 44101
  - Announced Registration Task Force to look at streamlining registration process for small UAS.
  - Asked for comments on registration process.

Registration Rule – Summary

- **Established an online method for small UAS owners to register aircraft – Part 48.**
  - Considered Registration Task Force recommendations and public comments.
  - Effective December 21, 2015 – phased in compliance dates. 80 Fed. Reg. 78595.
- **Which UA must be registered?**
  - Heavier than .55 lbs. (250g); Less than 55 lbs.
  - Others use the part 47 “paper” process.
- **Must register prior to operation in the NAS.**
  - Valid for 3 years.

Registration Rule - Summary

- **Registration Numbers & Certificates.**
  - Model aircraft owners – Issued one number and certificate.
  - Other than model aircraft – each aircraft issued a unique number and certificate.
  - Certificates have owner name, issue date, registration number.
    - Delivered electronically.
- **Marking.**
  - Each UA must display the a unique identifier.
- **$5 fee.**

State & Local Legislation

- **Many states and local governments legislating UAS.**
- **Wide spectrum of bills – from restricting UAS flights to facilitating operations.**
  - Reflects the spectrum of opinion of UAS.
- **We work with states and localities when requested to provide guidance.**

State & Local Legislation

- **Federal Framework for Aviation**
  - Federal law establishes a single and comprehensive system for regulating aviation in the US.
  - The U.S. has exclusive sovereignty over the airspace, which includes “airspace above the minimum altitudes of flight prescribed by regulations … including airspace needed to ensure safety in the takeoff and landing of aircraft.”
- **This framework is designed is to ensure the safety of aircraft and the efficient use of airspace.**

State & Local Legislation

- **Examples of laws where consultation with FAA is recommended:**
  - Restrictions on overflight, flight altitude, flight paths, operations; any regulation of the navigable airspace, including rules on how close a UAS may operate from a manned aircraft, time-of-day restrictions, weather condition minimums.
  - Limitations on operating UAS within the city limits, within the airspace above the city, or within certain distances of landmarks.
  - Required equipment or training for UAS operators related to aviation safety such as ‘geo-fencing.’

State & Local Legislation

- **Laws likely within state and local police powers:**
  - Laws traditionally related to a state or local government's authorities are generally not preempted by Federal law, such as land use planning and zoning, health, safety, advertising, general welfare of the inhabitants.

Thank You

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