

UAS: Where We Are and Where Are We Going?

Section 333 - Where We Are: The Numbers

- As of April 29th, the FAA has granted 797 Exemptions and closed (denied) 85 Exemptions.
- The rate at which the FAA is granting Exemptions has grown exponentially.
- Exemptions are currently being granted at a rate of about 40-50 per week
- There are approximately 1,000 Petitions currently pending.

The Summary Grant Process

- On April 9, 2015 the FAA announced a new “Summary Grant” process.
- The new approach is designed to speed of the Section 333 exemption process.
- The FAA’s experience in reviewing Section 333 petitions showed that UAS uses generally fell into 1 of 2 categories:
 - Aerial Data Collection (a catch-all that includes most uses involving aerial photography and videography); or
 - Closed-set Motion Picture/Television Production

Blanket Certificate of Waiver or Authorizations (COA)

- Another significant change occurred on March 24, 2015 with the announcement its new “blanket COA” interim policy.
- Under the new policy, the FAA will grant a COA for flights at or below 200 feet to any UAS operator with a Section 333 exemption for small UASs operations in daytime VFR conditions, within visual line of sight of the pilot, and stay certain distances away from airports or heliports.

Small UAS Rules - Timeline

- NPRM Publicly Released at 10 AM Sunday Press Conference on February 15, 2015
- NPRM Opened for Comment on February 23, 2015
- Comment Period Closed April 24, 2015
- FAA Conducts Analysis and Internal Review of Comments
- Release of Final Rule between late 2016 and early 2017

Effect of the Small UAS NPRM

- No Immediate Effect on Existing UAS Law
- All Commercial UAS Operations Still Illegal without Approval
 - Only Path for Approval Currently is Section 333 Exemption process
 - No impact on Conditions for Grant of Exemption
 - Pilot License still required
- Public Entities Still Must go through COA Process

Small UAS Rules

- Rules will be codified in the Federal Aviation Regulations
- Proposes creation of new FAR Part 107
- Regulations will be enforceable in the same way as any other portions of the FARs
- FAA Civil Penalty system will apply to violations of the new regulations
- FAA will take certificate actions against unsafe UAS Operators

Pilot Issues

- Creation of new UAS Operators Certificate
 - Regulations do not refer to them as “Pilots”
 - Proficient in English
 - Must be at least 17 years old
 - Must pass an Initial Aeronautical Knowledge Test
 - Tests administered at FAA-approved Knowledge Test Centers
 - TSA Background Check
 - No Medical Certificate
 - No vision test
 - No requirement to demonstrate flight proficiency
 - Application process expected to take 6-8 weeks

Visual Line of Sight (VLOS)

- The heart of all Part 91 Operations is “see and avoid”
- All flights must be conducted where the Operator can see the aircraft at all times
- Beyond Line of Sight (BLOS) not permitted
- If a Visual Observer is used, the Operator would not be required to fly based on Visual Line of Sight (VLOS), but the Operators must still have the capability of exercising control based on VLOS
- “Daisy-Chain” of Visual Observers cannot be used to extend VLOS

NTIA Multi-stakeholder Process

- On February 5, 2015, the President established a multi-stakeholder process to develop best practices for privacy, accountability for commercial and private UAS use in the NAS
- This process will be hosted by the National Telecommunications & Information Administration (“NTIA”)
- The first meeting will be held on August 3, 2015 and will be webcast.
- The current plan is for there to be four public meetings held between August and November.

Contact Information

For assistance in any issues regarding UAS Operation
or if you have any questions, please contact us:



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