

DOT and FAA Finalize Rules for Small Unmanned Aircraft Systems

Regulations will create new opportunities for business and government to use drones

WASHINGTON – Today, the Department of Transportation’s Federal Aviation Administration has finalized the first operational rules (PDF) for routine commercial use of small unmanned aircraft systems (UAS or “drones”), opening pathways towards fully integrating UAS into the nation’s airspace. These new regulations work to harness new innovations safely, to spur job growth, advance critical scientific research and save lives.

“We are part of a new era in aviation, and the potential for unmanned aircraft will make it safer and easier to do certain jobs, gather information, and deploy disaster relief,” said U.S. Transportation Secretary Anthony Foxx. “We look forward to working with the aviation community to support innovation, while maintaining our standards as the safest and most complex airspace in the world.”

According to industry estimates, the rule could generate more than \$82 billion for the U.S. economy and create more than 100,000 new jobs over the next 10 years.

The new rule, which takes effect in late August, offers safety regulations for unmanned aircraft drones weighing less than 55 pounds that are conducting non-hobbyist operations.

The rule's provisions are designed to minimize risks to other aircraft and people and property on the ground. The regulations require pilots to keep an unmanned aircraft within visual line of sight. Operations are allowed during daylight and during twilight if the drone has anti-collision lights. The new regulations also address height and speed restrictions and other operational limits, such as prohibiting flights over unprotected people on the ground who aren't directly participating in the UAS operation.

The FAA is offering a process to waive some restrictions if an operator proves the proposed flight will be conducted safely under a waiver. The FAA will make an online portal available to apply for these waivers in the months ahead.

"With this new rule, we are taking a careful and deliberate approach that balances the need to deploy this new technology with the FAA's mission to protect public safety," said FAA Administrator Michael Huerta. "But this is just our first step. We're already working on additional rules that will expand the range of operations."

Under the final rule, the person actually flying a drone must be at least 16 years old and have a remote pilot certificate with a small UAS rating, or be directly supervised by someone with such a certificate. To qualify for a remote pilot certificate, an individual must either pass an initial aeronautical knowledge test at an FAA-approved knowledge testing center or have an existing non-student Part 61 pilot certificate. If qualifying under the latter provision, a pilot must have completed a flight review in the previous 24 months and must take a UAS online training course provided by the FAA. The TSA will conduct a security background check of all remote pilot applications prior to issuance of a certificate.

Operators are responsible for ensuring a drone is safe before flying, but the FAA is not requiring small UAS to comply with current agency airworthiness standards or aircraft certification. Instead, the remote pilot will simply have to perform a preflight visual and operational check of the small UAS to ensure that safety-pertinent systems are functioning properly. This includes checking the communications link between the control station and the UAS.

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Although the new rule does not specifically deal with privacy issues in the use of drones, and the FAA does not regulate how UAS gather data on people or property, the FAA is acting to address privacy considerations in this area. The FAA strongly encourages all UAS pilots to check local and state laws before gathering information through remote sensing technology or photography.

As part of a privacy education campaign, the agency will provide all drone users with recommended privacy guidelines as part of the UAS registration process and through the FAA's B4UFLY mobile app. The FAA also will educate all commercial drone pilots on privacy during their pilot certification process; and will issue new guidance to local and state governments on drone privacy issues. The FAA's effort builds on the [privacy "best practices"](#) (PDF) the National Telecommunications and Information Administration published last month as the result of a year-long outreach initiative with privacy advocates and industry.

Part 107 will not apply to model aircraft. Model aircraft operators must continue to satisfy all the criteria specified in [Section 336 of Public Law 112-95](#) (PDF) (which will now be codified in Part 101), including the stipulation they be operated only for hobby or recreational purposes.

- [Part 107 Rule](#) (PDF)
- [Summary of Part 107 Rule](#) (PDF)
- [FAA Fact Sheet](#)

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Aircraft Registration: Unmanned Aircraft (UA)

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