

Legal Update – Unmanned Aircraft



LEGAL UPDATE: UNMANNED AIRCRAFT

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WHAT ARE WE GOING TO COVER?

Current US law on UAS.

NBAA's role.

The near-term and long-term future.

Integrating UAS into a flight department.

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Critical Preliminary Points:

- The role of the FAA - Safety
 - Airworthiness of Aircraft
 - Qualifications of Airmen (Pilots, Mechanics)
 - National Airspace Safety
- The Commercial – Recreational Distinction
 - Recreational Use
 - FAA AMA Memo of Understanding (1981, 2014)
 - FAA Modernization & Reform Act of 2012 Sec. 336.
 - No compensation directly or indirectly.
 - Commercial Use – Not Recreational

Recreational use is largely unchanged:

- No compensation.
- Follow community guidelines (Academy of Model Aeronautics)
- 55 lbs or less (unless group certified)
- Do not interfere with manned aircraft (under 400 ft).
- Notify if within 5 miles of an airport.
- Register your UAS.
- Safe flight (LOS, not over people).

Commercial use HAS changed:

- What was possible by special 333 exemption is now law.
- Federal Aviation Regulations Part 107.
 - Operator Qualifications.
 - Operational Limits (airspace safety).
 - Aircraft Airworthiness.
 - No airworthiness certification is required.
 - Operator responsible for preflight check.

Commercial use HAS changed:

- Part 107 – Operator Qualifications.
 - Remote Pilot Airman Certificate (operator or supervisor).
 - RPAC obtained by:
 - Passing knowledge test at FAA approved test center.
 - Part 61 pilot (24 mo flight review) + online FAA course.
 - TSA cleared.
 - 16 years old.
 - Temporary RPAC issuable while permanent is pending.

Commercial use HAS changed:

- Part 107 – Operator Qualifications.
 - Remote Pilot Duties:
 - Be prepared for FAA examination of records and aircraft.
 - Report injuries or damage \$500+.
 - Conduct preflight.

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Commercial use HAS changed:

- Part 107 – Operational Limitations.
 - 55 lbs, 100 mph
 - 400 ft AGL or within 400 feet of a structure
 - VLOS of RPIC and Operator or VLOS of Visual Observer (VO)
 - No ops over non-participants
 - Daytime only, 3 mile visibility
 - Class G airspace, yield to all aircraft
 - Class B,C,D and E, with ATC permission

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- The practical effect of Part 107.
 - Many commercial uses will become routine.
 - FAA staff freed up to consider the next phase of UAS integration into civilian airspace.
 - Entrepreneur focus is now on RPAC schools.



- Next – Pushing the Boundaries.
 - **Waivers** of Part 107 are a tool for innovation.
 - Daylight operation requirement
 - 400 foot altitude limit
 - Visual line-of-sight requirement
 - Operation over people
 - No waiver for carriage of goods or people for hire
 - **Exemptions** (Sec. 333) remain for broader deviations
 - Weight limit.

- **The NBAA's role.**

- **Participation** by commenting on FAA rulemaking and Congressional action. NBAA has supported safe integration and strong FAA governance.
- **Promotion** by sharing positive experiences of NBAA members.
- **Education** by preparing and distributing materials to help NBAA members and flight departments to bring a safety culture to corporate use of UAS.

- **The Flight Department Role.**

- Assess the role of UAS in your company.
- Will UAS operations be in-house or outsourced?
- Will UAS operations be daily or occasional?
- Do you have the capability to manage the UAS operations?
- Advocate for integration of UAS into your flight department.
 - Screen and supervise contractors.
 - Police compliance for in-house operations.