

Did You Ask Santa for a Drone? The FAA Wants to Know.I.D.

After several recent events involving the unsafe maneuvering of drones (drone interference with disaster relief efforts in California, drone crashes at athletic events and a drone delivering contraband into a prison), the Federal Aviation Administration (“FAA”) convened a task force to consider certain registration issues involving small drones (under 55 pounds), including whether certain drones should be exempt from registration; at what point should registration occur, e.g. point-of-sale or prior-to-operation; and whether drone registration should be electronic or web-based. Presently, the FAA does not require the registration of a drone, as long as the drone is being used for recreational purposes

The task force’s recommendations, which apply to recreational drones, were provided to the FAA on November 21, 2015 and include the following: that small drones weighing more than 250 grams (approximately one-half pound) be registered with the FAA; that small drone owners attach a registration number issued by the FAA to their drones, so that the aircraft may be easily identified; and that the registration process contain an education component

and acknowledgement. The members of the task force were split on whether the registration should occur at the point-of-sale or prior-to-operation. The FAA will review the task force’s recommendations and is due to announce an interim registration rule in December, just in time for the holiday season.

In anticipation of the expected change in registration rules, many companies are offering to help drone hobbyists register their small drones, for a fee. The FAA is advising recreational drone users to “think twice” about using a drone registration firm. The registration task force has recommended that the registration process be web-based, rather than through the current paper-based system, and that the online registration system allow for multiple entry points through an Application Program Interface (i.e. web apps, web portals, web browsers, cell phone apps, plug-ins, etc.). Additionally, the task force has recommended that there be no registration fee. Therefore, the FAA is recommending that drone owners and operators wait until additional details regarding drone registration are announced, before paying a company for registration assistance.

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In addition to new registration rules, the FAA is considering new safety rules that would apply to small drones. The proposed rules primarily apply to non-recreational drones, and include the following provisions: small drones may only operate during daylight hours (official sunrise to official sunset); small drones must yield right-of-way to other aircraft, manned or unmanned; small drones may not fly more than 500 feet above ground level; small drones must remain within the visual line-of-sight of the operator; and small drones may not operate over any persons not directly involved in the operation. While the aforementioned rules would not apply to recreational drones, the proposed rules would prohibit recreational drones from operating in a manner, which endangers the safety of the national airspace system.

A similar version of this article was published in the Pennsylvania Municipal League Municipal Reporter.

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