



Information Alert

State-Federal Relations Division

FAA Unveils Proposed Drone Tracking and Identification System

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At the Federal Aviation Administration's (FAA) third annual [Unmanned Aircraft Systems \(UAS\) Symposium](#), officials outlined a four-tiered approach that the agency plans to use in a forthcoming proposed rule concerning the remote identification of drones (Remote ID). Remote ID has been a core objective of the agency as it will likely allow the agency to expand the current limited types of drone operations. Law enforcement agencies, in particular, have noted concerns with allowing flights beyond visual line of sight and nighttime operations without the ability to identify and potentially take down unauthorized drone operations.

FAA's first tier would allow recreational-use drones weighing less than 250 grams (slightly more than a half-pound) to fly in pre-approved flying sites, organized by the Academy of Model Aeronautics, without the need for remote identification and tracking. The second tier would apply to drones under 55 pounds flying up to 400 feet, and require a ground control station with connectivity that was able to provide the identification of the drone. The third tier would add on to the second, applying to all drones flying within 400 feet of a structure and would require the drone to provide its location. Finally, the fourth tier, which would encompass flights beyond visual line of sight, would require drones to be equipped with technology allowing them to "detect-and-avoid," and also broadcast their location.

The FAA announcement comes after an advisory committee was unable to reach an agreement on how and whether hobbyist drones would be included in remote identification regulations. Nevertheless, the FAA currently faces a roadblock in implementing the above system as the [2012 FAA Modernization and Reform Act](#) included a provision prohibiting the agency from regulating hobbyist or model aircraft. However, that provision may be undone later this year as Congress works towards enacting a full reauthorization.

In addition to the FAA's announcement, on March 9, the agency's Drone Advisory Committee reviewed a [report](#) developed for the committee that examined the potential future funding structure to provide the agency with resources to effectively regulate drones. However, the report was unable to single out a financing structure because not only is the industry itself still in its infancy but the primary sources of revenue generation for manned aircraft such as jet fuel taxes

and passenger fees, do not apply to drones. The report did note, however, that some type of tax on related hardware or auctioning off communications spectrum may provide some resources for the agency.

For more information on federal actions surrounding drone regulation, please contact NCSL staff, [Ben Husch](#), or [Kristen Hildreth](#).