



Info Alert

National Conference of State Legislatures Office of State-Federal Relations

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FAA Issues Proposed Rules on Unmanned Aerial Systems

On Feb. 15, the Federal Aviation Administration (FAA) [released a “framework of regulations”](#) regarding the use of certain unmanned aircraft systems (UAS).

The release follows a period of more than two years since Congress ordered the FAA, as part of the [FAA Modernization and Reform Act of 2012](#), to finalize a set of rules and regulations for the “safe integration of civil unmanned aircraft into the national airspace system,” no later than September 2015. The FAA announced that its proposal will be open for comment for 60 days following its publishing in the [Federal Register](#).

However, FAA Administrator Michael Huerta noted that “in the meantime, operators must still go through the current process for a waiver or exemption to fly.” Currently, all commercial uses of UAS are illegal although the [FAA has issued some exemptions](#) for film and realty organizations.

The [proposal](#) includes a number of requirements for the operation of a UAS, such as:

- Must weigh less than 55 pounds
- May only operate during standard daylight hours and within visual sight
- Must fly no higher than 500 feet and go no faster than 100 MPH
- Must be operated by a person at least 17 years or older that has passed a FAA knowledge test
- Must be registered, but does not require an airworthiness certification

Additionally, the FAA noted in its release that it is considering issuing a separate set of regulations for UAS weighing less than 4.4 pounds. The proposal would also not apply to model aircraft. The FAA is also currently partnering [with six different test sites](#) (located in Alaska, Nevada, New York, North Dakota, Texas and Virginia) to gather data and to determine how UAS can best be integrated into the country’s existing aviation system.

Also on Feb. 15, President Barack Obama released an [order](#) requiring federal agencies to develop policies governing their use of UAS. Agencies would have to prove they are complying with existing privacy requirements. The president also directed the U.S. Department of Commerce and the National Telecommunications and Information Administration, to develop “a framework for privacy, accountability and transparency issues concerning the commercial and private use of UAS” through a multi-stakeholder engagement process within 90 days.

For any additional questions or concerns please contact NCSL staff [Ben Husch](#) (202-624-7779) or [Melanie Condon](#) (202-624-3597).