

## FAA Reauthorization Act - 2018 FAQ

1.

Q – Is flying First Person View (FPV) legal?

A – Yes, under the new regulations, as long as you have a spotter that has visual line of sight of your model, you can legally fly FPV as a recreational pilot. The spotter must be in the same location and be able to communicate directly with the pilot.

2.

Q – Do these regulations apply to just “drones”?

A – No, Congress has defined all “model aircraft” as a UAS and sUAS. These are defined as an aircraft without a human pilot on board that is capable of sustained flight. This means that all fixed wing and rotorcraft model aircraft fall within this category, regardless of configuration, whether powered or unpowered, regardless of control system.

3.

Q - What's the difference between a UAS (Unmanned Aerial System) and a sUAS (Small Unmanned Aerial System)?

A - The difference between the two terms comes down to weight. A UAS is considered be an unmanned aerial vehicle of any weight. However, a sUAS is considered to be an unmanned aerial vehicle that weighs less than 55 pounds including any cargo. Anything over 55 pounds would be considered to be a large UAS.

4.

Q – Does looking at a screen (not using goggles) to fly FPV count as FPV or line of sight?

A – It can be either depending on the situation. It is considered line of sight when the operator has an unobstructed view of the aircraft. It is considered FPV when the operator cannot physically see the model and flies only by the screen.

5.

Q - Can I fly beyond visual line of sight (BVLOS)?

A - No, currently there is no allowance within the regulations to fly beyond visual line of sight.

6.

Q - Where will I be able to fly FPV?

A - Technically speaking, you can fly anywhere as long as you are within Class G airspace, and below 400' above ground level (AGL). Flying in any other class of airspace, or above 400' (AGL) will require the pilot to submit for authorization, and require that you follow all airspace restrictions present in those areas.

7.

Q - What is Class G Airspace?

A - Class G Airspace is defined as the area not classified as any other class of airspace. Generally it starts at ground level and extends to 700 feet above ground level. In some areas, this can extend to 1200 feet.

8.

Q – Is there any situation in which I can fly my model above 400 feet?

A – There is no current aircraft configuration, setup, power system or lack there of that will allow you to fly legally above 400' AGL without authorization.

9.

Q – How is 400' AGL determined?

A – Generally, you can consider the point at which you take off, if you are on the surface of the earth, as 0' AGL. However, as the craft moves across terrain to an area that is lower in elevation than the area you took off from, you will need to decrease the altitude of the aircraft to compensate and stay within the legal limits.

10.

Q - Does taking off from the roof of a building change where the pilots ground level starts?

A - No, there is no allowance for a shift in ground level based on starting a flight from the top of a structure. The 0' AGL starts at the surface of the earth at your current location.

11.

Q – How do I apply for authorization to fly in airspace other than of Class G?

A – If your area is equipped with LAANC, then you would apply through a smart phone app such as AirMap. They are only able approve flights up to 400' AGL. If your area is not equipped with the LAANC system, or you wish to fly beyond 400' AGL, then you will need to call the Air Traffic Controller in your area for authorization. To see what areas are currently equipped with LAANC, as well as the estimated date of addition, go to:

[https://www.faa.gov/uas/programs\\_partnerships/uas\\_data\\_exchange/](https://www.faa.gov/uas/programs_partnerships/uas_data_exchange/).

12.

Q – What is LAANC?

A – This allows you to apply for approval for flights through an app with near instant response times. LAANC is the Low Altitude Authorization and Notification Capability, a collaboration between FAA and Industry. It directly supports UAS integration into the airspace. It provides access to controlled airspace through near real-time processing of airspace authorizations below approved altitudes in controlled airspace.

13.

Q - When do I need to change what I'm doing or seek a new "license"?

A - The FAA is evaluating the impacts of this change in the law and how implementation will proceed. They recommend that current policies and guidelines are adhered to until then. The FAA will not require a license, however passing a knowledge test will be required in the future.

14.

Q - In the future will it cost me anything to get approved to fly FPV recreationally?

A - Currently, it is required that you register yourself as a recreational pilot with the FAA at <https://faadronezone.faa.gov/>. The cost is \$5. All model aircraft between .55lbs (250g) and 55 pounds (25kg) will need to be marked with your registration number. Currently we do not know what type of fees, if any, will be related to the pilot knowledge test.

15.

Q - Are there age requirements to take the test?

A - Unfortunately, at this time the details about the test are not present. They have not developed the test, nor its requirements yet, however the FAA has been given a deadline of 180 days from the bills passage to develop the test.

16.

Q - Will I be required to demonstrate pilot competency to continue flying recreational FPV?

A - No, as of the current language in the bill, there is no requirement to demonstrate pilot competency to fly recreationally.

17.

Q - Will I need insurance to fly recreational FPV?

A - No, you will not need insurance to fly recreational FPV. However, from the perspective of risk mitigation, it is never a bad idea to have insurance in case of accidents.

18.

Q - Will I be required to take a written test to fly recreational FPV?

A - You will be required to take and pass a test, as well as carry your proof of passing the knowledge test with you when you are out flying. Law Enforcement will have the right to ask for proof of passing the knowledge test along with your current registration as a drone pilot. Please reference this document to understand the guidance the FAA has given to Law Enforcement: [https://www.faa.gov/uas/resources/law\\_enforcement/media/FAA\\_UAS-PO\\_LEA\\_Guidance.pdf](https://www.faa.gov/uas/resources/law_enforcement/media/FAA_UAS-PO_LEA_Guidance.pdf)

19.

Q - Will a recreational pilot be required to show proof of passing the knowledge test to purchase a ready-to-fly fixed wing or rotorcraft from major retailers?

A - No, at this time that is not a requirement. It will be the responsibility of the pilot to pass the knowledge test and if the aircraft weighs over 250 grams, register as a pilot with the FAA before commencing flight for the first time.

20.

Q - Will my model aircraft be subject to airworthiness inspection or need to conform to any safety standards?

A - If you are building your model aircraft as a hobbyist, then no, you will not need to submit to any airworthiness inspections. Commercial manufacturers will most likely be able to self-certify their own model aircraft by a list of standards published by the FAA.

21.

Q – Do all these restrictions apply if my model is under 250 grams?

A – Yes, all model aircraft have been grouped together as “weighing less than 55 pounds”. Additional restrictions apply to model aircraft over 55 pounds (25kg). Currently, the FAA is only requiring registration if the model is between .55 pounds (250g) and 55 pounds (25kg), however this may change in the future.

22.

Q – Does my aircraft model need to have a Remote Identification transponder?

A – Currently, no it does not, however the FAA will be looking at equipment requirements in the near future.

23.

Q - If I am a recreational FPV pilot attending an event, do I need a Part 107 certificate.

A - No, if you are flying recreationally, and are not being compensated, you will not require a Part 107 certificate.

24.

Q - Is there a speed limit at which I can fly my model aircraft?

A - Currently, there is no speed limit proposed by the regulations, however, there is a provision for the FAA to review safety standards, including speed.

25.

Q - What is a Community Based Organization (CBO)?

A - A Community Based Organization is an membership based organization that falls under the following guidelines as laid out by Congress:

- Is described in section 501(c)(3) of the Internal Revenue Code of 1986;
- Is exempt from tax under section 501(a) of the Internal Revenue Code of 1986;
- The mission of which is demonstrably the furtherance of model aviation;
- Provides a comprehensive set of safety guidelines for all aspects of model aviation addressing the assembly and operation of model aircraft and that emphasize safe aeromodelling operations within the national airspace system and the protection and safety of individuals and property on the ground, and may provide a comprehensive set of safety rules and programming for the operation of unmanned aircraft that have the advanced flight capabilities enabling active, sustained, and controlled navigation of the aircraft beyond visual line of sight of the operator;
- Provides programming and support for any local charter organizations, affiliates, or clubs; and

- Provides assistance and support in the development and operation of locally designated model aircraft flying sites"

26.

Q - What is the process for official approval to be a CBO and who make the determination?

A - Currently, there is no definitive process for applying to become a CBO. The FAA will publish this process within the next 6 months, through which any organization meeting the above criteria can apply for recognition. There is no information about who will make the determination, however, the thought is that someone or some committee within the FAA will be reviewing applications.

27.

Q - What are the benefits of being a member of a CBO?

A - Being a member of a CBO allows you a voice through which that particular CBO can effect change through consultation with the FAA. It is a place to gather with like minded people, who share the same passion for the hobby. Many offer education programs, as well as other benefits such as insurance and publications. Most importantly, it is where you can go to stay informed on the state of hobby, current rules and regulations, as well as updated information related to the hobby.

28.

Q - Will I need to join a CBO in order to fly recreational FPV legally in the USA?

A - Currently, this is not necessary, but you will need to follow the safety guidelines of a CBO when out flying.

29.

Q - Will being a member of a CBO grant me access to special exemptions to the regulations?

A - Currently, there are no special exemptions from the regulations for being a member of a CBO.

30.

Q - Is the AMA the only current CBO?

A - Actually, the AMA is not an officially recognized CBO yet. They must go through the same process as everyone else to earn that distinction.

31.

Q - Can I be under the influence of drugs and/or alcohol and still fly legally?

A - There is no mention in the regulations of drug and alcohol and flying a model aircraft.

32.

Q - Does this authorization give the FAA power to permanently regulate model aircraft, or will it need to be renewed or re-authorized at a later date?

A - This authorization will have a 5 year lifespan, after which Congress will have to go through the process again.

33.

Q - Can the FAA make adjustments to the law over the lifespan of the Reauthorization?

A - Yes, the FAA is required to review and update the rules as appropriate to keep the laws flexible as technology develops and needs arise.

34.

Q - What do I do when I am approached by law enforcement while flying?

A - First off, be professional! Answer respectfully to any questions the officer may have, and communicate what you are doing and what your intentions are. If you are following all the FAA regulations, and are flying according to the safety guidelines put forth by a CBO, explain those safety points to the officer. Above all, abide by the final decision of the officer.

35.

Q - How do you address the general public who may not understand the hobby?

A - Be polite, professional, and an ambassador for the community. Educate them on what you are doing, and how you do it safely. Explain the technology and demonstrate how it works. Show off your joy for the hobby! They may be the next member of the community!

36.

Q - How do I keep informed of the current state of regulations?

A - The best place to stay informed would be the FAA's Unmanned Aircraft Systems portal, found here: <https://www.faa.gov/uas/>.

Last Updated: October 10th, 2018