

FAA Announces Interim Commercial Drone Operation Policy

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On March 23, the Federal Aviation Administration (FAA) announced an interim policy to speed up airspace authorizations for certain commercial unmanned aircraft (“UAS” or “Drone”) operators who obtain Section 333 exemptions. According to the FAA, “The new policy helps bridge the gap between the past process, which evaluated every UAS operation individually, and future operations after we publish a final version of the proposed small UAS rule.”

Under the new policy, the FAA will grant a certificate of waiver or authorization (COA) for flights at or below 200 feet to any UAS operator with a Section 333 exemption for aircraft that weigh less than 55 pounds, for operations during daytime visual flight rules (VFR) conditions, for operations within visual line of sight (VLOS) of the pilots, and for those who stay the following distances away from airports or heliports:

- 5 nautical miles (NM) from an airport with an operational control tower; or
- 3 NM from an airport with a published instrument flight procedure, but no operational tower; or
- 2 NM from an airport with no published instrument flight procedure or operational tower; or
- 2 NM from a heliport with a published instrument flight procedure

The “blanket” 200-foot COA allows flights anywhere in the country except restricted airspace and other areas, such as major cities, where the FAA prohibits UAS operations. Previously, an operator had to apply for and receive a COA for a particular block of airspace, a process that can take 60 days. The FAA expects the new policy will allow companies and individuals who want to use UAS within these limitations to start flying much more quickly than before.

Section 333 exemption holders will automatically receive a “blanket” 200 foot COA. For new exemption holders, the FAA will issue a COA at the time the exemption is approved. Anyone who wants to fly outside the blanket parameters must obtain a separate COA specific to the airspace required for that operation.