

# Key decisions on drones likely from Congress

December 28 2014, byJoan Lowy

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In this Feb. 13, 2014, file photo, Jon McBride, who designs and builds drones with Digital Defense Surveillance, flies a training drone for members of the the Box Elder County Sheriff's Office search and rescue team, during a demonstration, in Brigham City, Utah. The Obama administration is on the verge of proposing long-awaited rules for commercial drone operations in U.S. skies, but key decisions on how much access to grant drones are likely to come from Congress next year. (AP Photo/Rick Bowmer, File)

The Obama administration is on the verge of proposing long-awaited rules for commercial drone operations in U.S. skies, but key decisions on how much access to grant drones are likely to come from Congress next year.

Federal Aviation Administration officials have said they want to release proposed rules before the end of this month, but other government and industry officials say they are likely to be delayed until January.

Meanwhile, except for a small number of companies that have received FAA exemptions, a ban on commercial drone flights remains in place. Even after rules are proposed, it is likely to be two or three years before regulations become final.

That's too long to wait, say drone industry officials. Every year the ban remains in place, the United States loses more than \$10 billion in potential economic benefits that drones could provide, according to the Association for Unmanned Vehicle Systems International, a trade group.

"We need some sort of process that allows some of the low-risk operations," said Jesse Kallman, the head of regulatory affairs for Airware, a drone technology company backed by Google Ventures. "I think Congress understands that, and hopefully they'll take steps in the coming year to address that."

That appears to be what some key lawmakers have in mind. "We in Congress are very interested in UAS," Rep. Bill Shuster, R-Pa., chairman of the House Transportation and Infrastructure Committee, said at a hearing this month, referring to unmanned aerial systems, or drones. "We understand UAS are an exciting technology with the potential to transform parts of our economy. ... It is our responsibility to take a close look."

One of the committee's first priorities next year is writing legislation to reauthorize FAA programs and overhaul aviation policy. The bill is expected to include directions from lawmakers on how to integrate drones into the nation's aviation system. The last reauthorization bill, passed in 2012, directed the agency to integrate drones by Sept. 30, 2015, but it's clear the FAA will miss that deadline.

The FAA is expected to propose restricting drones weighing less than 55 pounds to altitudes below 400 feet, forbid nighttime flights and require drones be kept within sight of their operators. Drone operators may also be required to get pilot's licenses, a possibility already drawing fire from critics who say the skills needed to fly a manned aircraft are different from those needed to operate a drone.



In this May 16, 2013, file photo, House Transportation and Infrastructure Committee Chairman Rep. Bill Shuster, R-Pa., left, talks to then ranking Democrat Rep. Nick Rahall, D-W.Va. on Capitol Hill in Washington. The Obama administration is on the verge of proposing long-awaited rules for commercial drone operations in the U.S. sky, but key decisions on how much access to grant drones are likely to come from Congress next year. (AP Photo/Carolyn Kaster, File)

Shuster indicated he's concerned that requiring pilot's licenses might be burdensome and unnecessary. And keeping drones within sight of

operators would be too strict and limit their usefulness, he said.

The reason for keeping drones within line of sight is that they don't yet have the ability to detect and avoid other aircraft.

AUVSI, the drone industry trade group, recently hired Mark Aitken, former legislative director to Rep. Frank LoBiondo, R-N.J., as its government relations manager. LoBiondo is chairman of the House Subcommittee on Aviation, which will write the FAA reauthorization bill.

"We're really looking at an incremental approach still," Aitken said. "It's not something that is going to happen overnight."

FAA officials have been working on drone regulations for nearly a decade. The agency twice drafted regulations that were later rejected by the White House or Transportation Department. The FAA has long maintained that unmanned aircraft must meet the same regulations as manned aircraft unless waiving or adjusting those regulations doesn't create a safety risk. However, FAA officials more recently have begun talking about "risk-based" regulations, giving industry officials hope the agency might propose a blanket exemption from regulations for the smallest drones—usually defined as weighing under 5 pounds—as long as operators follow a few basic safety rules. Canadian authorities recently approved a blanket exemption for very small drones.

Congress already is getting pushback from private and commercial pilots who worry about possible collisions. The FAA receives reports nearly every day about drones sighted flying near manned aircraft or airports.



This Feb. 13, 2014, file photo, shows a rescue drone flown by Box Elder County Sheriff's Office during a demonstration in Brigham City, Utah. The Obama administration is on the verge of proposing long-awaited rules for commercial drone operations in U.S. skies, but key decisions on how much access to grant drones are likely to come from Congress next year. (AP Photo/Rick Bowmer, File)

"As a (Boeing) 737 captain, I'll be damned if myself and 178 other people are taken down by a 12-pound or a 50-pound or a 150-pound piece of metal coming through my windshield," said Ben Berman at a recent forum hosted by the Air Line Pilots Association. "There are too many near misses occurring every day like this."

Mark Baker, president of the Aircraft Owners and Pilots Association, which represents private pilots, said online videos show that "operators are flying near airports, in the clouds and in congested airspace." He called such actions "reckless" and said they will inevitably lead to a collision.

FAA regulations permit recreational users to fly small drones as long as

they stay at least 5 miles away from an airport, limit flights to less than 400 feet in altitude, keep the aircraft in line of sight and fly only during the daytime.



In this Dec. 19, 2014, file photo, Dan Johnson of Sensurion Aerospace holds the Sensurion Aerospace Magpie commercial drone during an event near Boulder City, Nev. The Obama administration is on the verge of proposing long-awaited rules for commercial drone operations in U.S. skies, but key decisions on how much access to grant drones are likely to come from Congress next year. (AP Photo/John Locher, File)

Last week, drone industry trade groups teamed up with the FAA and model aircraft hobbyists to launch a safety campaign aimed at amateur drone operations. The campaign includes a website, [www.knowbeforeyoufly.com](http://www.knowbeforeyoufly.com), where operators can find FAA regulations and advice on how to fly safely. The trade groups said they

also plan to distribute safety pamphlets at industry events and are working with manufacturers to see that safety information is enclosed inside the package of new drones.

Retailers say small drones, which are indistinguishable from today's more sophisticated model aircraft, were popular gifts this Christmas.

**More information:** Drone safety campaign:  
[www.knowbeforeyoufly.com](http://www.knowbeforeyoufly.com)

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