

Commercial UAS Operations under Part 107

Webinar Question Recap

These answers were provided to the best of my knowledge. It is always advisable to check current regulation and guidance for the latest information.

GENERAL

1. Are you recoding this webinar?

- a. Yes! You may view the recorded webinar here:

<https://attendee.gotowebinar.com/recording/9047111904492536322>

2. What is the difference between an airport operator and the control tower?

- a. A control tower is an FAA (or contracted to the FAA) staffed building with certificated Air Traffic Controllers. An airport operator is generally taken to mean an airport manager, usually employed by the municipality which owns the airport.

3. Do you have a recommendation for a sUAS logbook?

- a. No. There are plenty of pilot logbooks out there and I would imagine as we move forward, companies will be developing a UAS-specific logbook.

4. Will there be a webinar designed to prepare me for the UAG Knowledge exam?

- a. No. At least not by the FAA.

5. Any recommendations for studying?

- a. We have published a study guide here:

www.faa.gov/regulations_policies/handbooks_manuals/aviation/media/remote_pilot_study_guide.pdf

That is a good place to start, but it's only a guide. You can always study on your own, or pay to attend a school, an online course, or app. Do your due diligence prior to purchasing any course.

6. Is there a fee for taking the UAG Knowledge test or retest?

- a. Yes. The FAA does not charge a fee, we contract out to private testing centers which have their own cost structure.

7. Is it ok to fly directly over actors while filming?

- a. No. Actors are not directly involved with the operation of the sUA and as such you would need a waiver to operate over them.

8. How can I get more information on the FAA's UAS Compliance and Enforcement Team?

- a. The OCFT is a group of UAS experts from the FAA Field Offices designed to help Inspectors with compliance issues related to UAS operations. There is a brief writeup about this team in the latest issue of FAA Safety Briefing Magazine (page one): www.faa.gov/news/safety_briefing/2016/media/SepOct2016.pdf

9. In the wakeboarder scenario, could you fly that close to him?

- a. It depends. See my answer to the question regarding operations over people.

10. Does Part 107 require you to present your certificate to a Law Enforcement Officer?

- a. Not specifically in Part 107, but other portions of the Regulations require you to. Always respect a request from a Law Enforcement Officer.

11. Is the B4UFly app updated real time?

- a. Theoretically, yes. But always check FAA online resources to be sure.

12. If I post photos of a farm on YouTube and the owner sees that a certain area should have more fertilizer or irrigation in furtherance of his business, did that change my hobby to commercial?

- a. No. Prior to flight, you must determine what the purpose of your flight will be. If the scenario in your question happens over and over, I would question the purpose of your future flights though.

13. How in the heck can you know when posting a hobby photo online that someone somewhere will not use it in furtherance of business?

- a. That is really not your concern. If you are operating as a hobbyist and post videos online as part of your hobby flying, that is ok. What someone else, who you had no prior arrangement with, does commercially with your posting does

not change your mission at the time. If this happens repeatedly, someone may question the true intent of your flight.

14. What is web address for Aviation Weather Center?

- a. www.aviationweather.gov

15. What about pre-emption of Federal Aviation Regs by local/regional agencies?

- a. Many local/regional agencies are struggling to adapt to the proliferation of sUAS operations. The FAA controls the airspace, and as a Federal Agency, cannot be preempted via local laws. Education is key. Open dialogue with your representatives and bring them up to speed on the issues and Regulations. Keep in mind that just because local laws cannot preempt Federal Laws, doesn't mean that local regulations cannot address privacy or operating from public land.

16. Does this session qualify for WINGS credit?

- a. Yes! Please make sure you've registered through faasafety.gov. Reference 'Select Number: GL1571602'.

17. Am I required to upload most recent firmware even if there is evidence problems exist with the upgrade?

- a. Many manufacturers require the latest firmware be installed in order for the sUA to be considered airworthy. In those cases, yes.

18. Would flying over a roadway be considered flying over people if said "people" were within a vehicle?

- a. Yes. According to the rule, to operate over people they need to be "located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling small unmanned aircraft."

19. If I get approached by first responders to fly, but the actions would put me out of the Part 107 rules, is there any "Good Samaritan" rules to help protect people who try to assist with permission from local first responders (ie search and rescue)?

- a. No. There is a process for the FAA to issue an emergency COA though. (see link in similarly asked question)

20. Is the program referred to earlier in a question, which was NOT identified by acronym, FAAST? And if so, does it automatically record and credit webinar participation?

- a. FAAST is the acronym for the FAA Safety Team. In order to receive WINGS credit for the webinar, you need to be registered with faasafety.gov and then register for this webinar there (see info in a similar question).

21. What about wedding photography?

- a. That would fall under commercial UAS operations.

22. Door prizes?!

- a. Man, I wish we had the budget for that!

23. Any word on the micro sUAS drone over people coming down the pipe?

- a. Not yet. But I know it's being looked at.

24. Does the FAA regulate indoor (building, enclosed temporary tent, etc.) sUAS operations?

- a. No.

25. I have attempted to reach out to three different training places that the FAA has on their website, however none of them are getting back to me. Is there a different alternative such as an online exam or something along those lines?

- a. For non-part 61 certificated airmen, there is no online course available to meet the knowledge requirements of Part 107. I'm sorry they are not returning your phone call.

26. Will a UAS need ADS-B by 2020?

- a. No.

27. Is there a webinar for airport managers that oversee small public airports? We are being inundated with numerous calls on what hobby and commercial sUAS operations can be conducted.

- a. None that I am aware of, however we have published information for Airport Operators here: www.faa.gov/airports/special_programs/uas_airports/

28. Could you please cover NOTAMS and when UAS operators should file them?

- a. Under Part 107, you are not required to file a NOTAM. We leave that up to the individual operator to determine. If you feel it would increase safety in the NAS, then you should issue a NOTAM.

29. What about accident reporting accidents to the NTSB?

- a. NTSB reporting information can be found here:
<http://www.nts.gov/investigations/process/Documents/NTSB-Advisory-Drones.pdf>

30. If someone flies UAV over someone's property and takes a video - maybe people in those properties are having a personal time - is that legal?

- a. The FAA does not regulate privacy. That would be up to local/state laws.

31. Flying a real estate job, should one inform anyone that lives next to said property to get the photo job done? Should one let the area police department that you will be flying a drone to take video or photo?

- a. That's really up to you. I would say the more people you can inform/educate, the better off you and the entire sUAS industry will be.

32. What if a person steals a drone that is registered, what happens then?

- a. Local/state laws deal with theft of property.

33. I need to film aircraft taxing at a non-towered airport. Is permission from the Airport Manager enough?

- a. No permission from the Airport Manager is needed, but it's considered best practice to notify them. Remember, while completing this mission you need to comply with §107.37 and §107.43.

34. Would the FAA help me in a legal situation? Say I had been arrested because I ignored the police officers orders regarding my legal sUAS flight.

- a. ALWAYS follow local law enforcement commands. There may be local/state regulations regarding the land you are launching from or landing on. The FAA will not come to your legal defense.

35. If you are flying in your back yard with tall trees all around such that there is no way any manned aircraft could get near it safely, and you are within 5 miles of an airport or heliport, do you still have to call the airport?

a. Under Hobby rules, yes. Under Part 107, no.

36. Any chance of a checklist similar to what manned pilots go over prior to each flight, outlining all the points you touched on tonight?

a. I will not be personally developing one. Checklists are best developed by the operator as they can be tailored specifically to the mission.

37. Is the FAR AIM specific for UASs and commercial certification?

a. It's not necessarily specific, but does contain a lot of information (AIM) for all pilots and would certainly contain Part 107 regulations.

38. If I am filming a wedding ceremony with my drone and do not fly directly overhead and remain at least ten feet away. Am I still legal?

a. As long as you are in compliance with all of Part 107, yes.

39. Sounds like FAA is saying if the drone hits a person it is the drone pilots fault no matter what. But what if the person that was hit was chasing the drone like an idiot?

a. As the saying goes, 'you can't fix stupid'. If someone is running around purposely trying to get hit by your sUA, that's not going to fall under §107.39.

40. What is the best way to notify airport managers prior to flying near class G airports?

a. A good tool is AirNav: www.airnav.com Most of the time, they have airport contact information.

41. Can a city council or administrator ban drone operations from operating within city limits?

a. Not the airspace, but certainly operations to/from city owned or public land.

42. Might the FAA consider a NASA ASRS type thing for UAS operators?

a. It's my understanding that the Aviation Safety Reporting System is available to all pilots.

43. Are there any plans to make a version of b4ufly for commercial purposes?

a. Not that I've been made aware of.

44. Is it trespassing if I fly over private property at 400 AGL?

- a. The FAA does not regulate trespassing.

45. If I have a RPIC Cert, and I'm running the camera, can my spotter, who doesn't have cert, run the controller for the UAS?

- a. You would need to meet the requirements of §107.19 and §107.12.

46. Do the standard lights on an Inspire 1 or Phantom qualify as collision avoidance lights, allowing for operations in civil twilight?

- a. If they are visible from 3 miles away, then yes.

47. I live in MN, so I have to register with FAA and State of MN?

- a. Yes. More info here: <http://www.dot.state.mn.us/aero/drones/index.html>

48. Would that be considered a sparsely populated area from a moving vehicle on a closed set?

- a. It depends on the set. Since we don't define 'sparsely populated' it is up to the operator.

49. What if I am a cyborg sent from the future to destroy mankind, but I have a green card? Can I still request a waiver?

- a. Go for it!

50. Where can I buy/download a sectional chart for my area?

- a. Check with your local airport Fixed Base Operator (FBO).

51. I lost my FAA registered UAV in the ocean. It was for hobby use. Do I need to report this?

- a. No.

52. Does the FAA expect to eventually require airworthiness certificates for Part 107 sUAS?

- a. Not that I'm aware of.

53. Is a hang glider considered an aircraft?

- a. Yes, under 14 CFR §103.1.

54. Who do we declare an emergency to?

- a. No one in particular. Part 107 allows you to deviate from the rule to the extent necessary to be safe during an emergency. It is possible that the FAA may ask you for a report of your emergency situation.

55. Can local government make manned commercial pilot also register for a state commercial license?

- a. Yes.

56. Can a pilot be over the age of 65?

- a. Yes.

57. As currently defined VLOS is very subjective. Is there any plan to establish a specific maximum distance under ideal conditions for VLOS. For example anything greater than 500 yards would be considered BVLOS?

- a. The FAA is moving to performance-based standards rather than issuing specific requirements.

58. How does the ground speed requirement work with a strong tailwind?

- a. It would increase your ground speed. As an operator you must be aware of this.

59. How do I check clouds and weather in an area far away from an airport? METARS are only in the vicinity of airports, right?

- a. I would use a combination of weather reports from airports around the area to get an idea of where the cloud bases were.

AIRSPACE

60. Why does the B4UFly app tell me I need to notify airports?

- a. The B4UFly app was designed with the hobby/recreational sUAS pilot in mind. While it still is a great tool for identifying airspace and other restrictions, it's Part 107 you need to comply with.

61. A hobby operator is required to notify an airport if within 5 miles but under Part 107 there is no notification?

- a. Correct. As long as you are not operation in airspace that requires ATC authorization (Class B, C, D, or E SFC).

62. If I am flying within 5 miles of an airport, what do I need to do?

- a. For airports which reside in Class G airspace, Part 107 has no requirement for you to notify anyone. As mentioned, it is considered a best practice to alert the airport operator. If that airport is located within Class B, C, D, or E SFC, you need ATC authorization.

63. How do we get approval to operate in the Washington D.C. Special Flight Rules Area (SFRA)?

- a. We have online information specific to that SFRA here:
www.faa.gov/news/updates/?newsId=84787

64. If a helipad is associated with a hospital, do I need clearance from them to operate within 5 miles?

- a. Not if the helipad is located in Class G airspace. Best practices would be to notify the hospital so that any inbound HEMS helicopter is aware of your operation. Remember, you still must comply with §107.37 and §107.43.

65. Will the ATC grid map be made available to the public?

- a. I have heard that it will be, but I don't have anything to direct you to at this point.

66. With regard to TFRs in disaster areas--it may be difficult to obtain a waiver in disaster conditions (no communication, etc), and a sUAS may be a lifesaving tool. Are there any plans to mitigate this potential issue? Any suggestions?

- a. The FAA has the authority to issue emergency COAs and has done it in the past. More information here:
http://www.faa.gov/news/press_releases/news_story.cfm?newsid=17014

67. I was aware of National Parks being no-fly zones. I was not aware of that restriction extending to all National Forests and BLM land. I thought that was stated in a previous answer. Is that correct?

- a. Airspace issues aside (Restricted Area? Prohibited Area?) You need to contact the specific organization which controls the land you intend to operate from to ensure there are no restrictions for sUAS operations.

68. Can a sUAS RPIC call the tower via a 2-way radio on the TWR frequency to get a class D clearance to fly in Class D?

- a. No. All ATC authorizations must be process through the online portal.

69. Is having an airband radio good protocol to have?

- a. Yes! While there is no non-emergency need to transmit on frequency for a sUAS operator, it is a great risk-mitigation tool for situational awareness.

70. IF there is a TFR you can get permission from the controlling agency?

- a. Possibly, but very unlikely.

71. Is it possible (or at all likely) to get a waiver to operate in "Restricted" airspace near a military air base under Part 107? If so, what is the process?

- a. Operations in Restricted Areas are governed by §107.45. According to §107.205, that rule is not subject to waiver. As a result, you would need to petition for an exemption.

72. If you are flying in any class of airspace other than G, airspace that does NOT go to the surface, do you need to advise ATC?

- a. ATC authorization is needed for operations within Class B, C, D, and E SFC. If you are operating within Class G, no ATC authorization is needed. If you are operating within Class E (say you are inspecting a 2,000ft tall radio tower), which is not associated with an airport surface area (dashed magenta lines on a sectional chart), no ATC clearance is needed.

73. When using a UAV to scan crops in the vicinity of wind turbines. Would it be possible to get a waiver to operate a UAV at an altitude high enough to operate to safely clear the turbines and the associated turbulence?

- a. Yes. You would want to request a waiver of §107.51(b).

74. How would an education institution begin the process of getting a COA to fly within 5 miles of an Airport?

- a. Please reference the Legal Interpretation which clarifies the type of operation your educational institution would qualify for. The Interpretation can be found here: www.faa.gov/uas/resources/uas_regulations_policy/media/interpretation-educational-use-of-uas.pdf

75. What does it take to be approved to fly at a higher altitude for low resolution mapping?

- a. You would need to apply for a waiver under §107.51(b).

76. Licensed under 107, can I fly the UAV on the fringe of a class D airspace (but outside of it). However, it underlies a shelf of Class B (but below) that shelf. In other words, it'd be in class G.

- a. ATC authorization is only required if you will be IN Class B, C, D, or E SFC areas.

77. If I'm within 5 miles of a Class D airport but in Class G airspace I no longer need to contact the tower with a remote pilot license?

- a. If you are in Class G airspace, no ATC notification/authorization is required. However, most Class D airspaces extend out to approximately 5 miles. Make sure you are on the "right" side of that airspace!

78. Why did the FAA start with Class B airspace and not Class E Surface? Most of us play in this space.

- a. Not sure what you mean, the first ATC authorizations will be for Class D and E SFC (October 3rd).

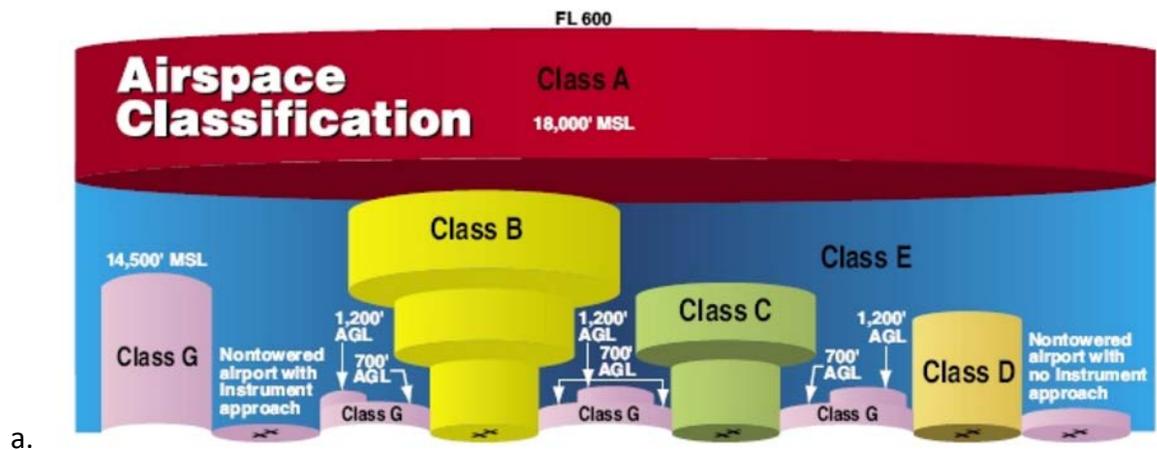
79. If I have my NYC SFRA, can I operate my drone over the Hudson River and should I be reporting to other pilots my location?

- a. Please contact your local FSDO for specific SFRA questions.

80. Just reading the TFRs. I notice a VIP movement TFR. My fire department is deciding to run under 107 rules. In the TFR all aircraft can't fly except for 5 conditions. One of those exceptions is aircraft for fire, medivac and law enforcement... Would this apply to sUAS operated by a public safety agency operating under 107?

- a. Possibly, but unlikely as most TFRs will require a discreet transponder code. You would need to check with the controlling agency to know more.

81. Could we get that US Airspace Class chart?



REGULATIONS

82. What is operating “over” people?

- a. Look at it in terms of safety and risk. Is your sUA flying at a point where if it lost power, it would come down onto someone? If so, then I would say you’re flying over people.

83. Can the RPIC or VO use binoculars during operation?

- a. Yes, however, the sUA must remain within VLOS of the RPIC and VO at all times without any vision assistance other than corrective lenses.

84. Can you daisy chain Remote Pilots in Command (RPIC)?

- a. Yes. Part 107 allows for the RPIC responsibility to be “handed off” during flight. Remember, all VLOS and Remote Pilot requirements must be met by each RPIC who receives the “handoff” during flight.

85. What about a tethered UAS?

- a. If it qualifies as a Small Unmanned Aircraft per §107.3, then it would be subject to Part 107 if operated commercially.

86. Can I fly my sUA for non-commercial purposes to get flight time while I go through the certification process?

- a. Yes. You will need to comply with all requirements for hobby/recreational use.

87. What are the lighting requirements for a sUA to operate during periods of civil twilight?

- a. Your sUA must have lighting which can be seen from a distance of 3 miles. It is implied that this is an omnidirectional requirement. i.e. You cannot put a light on the bottom which can only be seen from the ground.

88. Are companies producing products strictly for the R/C hobby industry required to have a Part 107?

- a. The FAA currently does not regulate or certify sUAS manufacturing. If you were demonstrating your sUA for potential customers, then that demonstration would be considered a commercial operation and be subject to Part 107.

89. How many visual observers can you have at one time?

- a. There is no limit on how many Visual Observers (VOs) you can have. The requirement is that *both* the Remote Pilot in Command and the (VOs) must have VLOS capability with the sUA at all times.

90. Operating a UAV for scanning crops, the mission plan for the flight is uploaded to the UAV prior to launch, so the aircraft is not actively controlled but operating via the mission autopilot. During the flight is primarily observing the progress of the flight, the auto pilot can be overridden if necessary. During the flight and while observing the progress of the mission a PIC moves in a vehicle to keep the UAV within the line of sight. Is this considered operation of the UAV from a moving vehicle?

- a. Yes. The Remote Pilot in Command must be able to have VLOS at all times and since they are in a moving vehicle, would be required to comply with §107.25.

91. What defines the ability to "immediately" take command?

- a. Something happens to the sUA which is not intended, the RPIC must be able to immediately take control. Meaning they would be able to grab the control station, or assume control, right away.

WAIVERS/AUTHORIZATIONS

92. Waivers for operating over people do not allow the sUA to be operated over an "assembly of people". Why?

- a. Tough question to answer as field offices are not approving UAS waivers at this time. However, we do everything based on safety and mitigating risk. Operating over *some* people is far different than operating over an assembly of people. The risk of injury is far greater over a large gathering of people than a just a few.

93. How long does it take to do a TSA background check?

- a. I don't know. I've talked to people who received their temporary certificate within 7-10 days. It all depends on the individual applying and TSA's backlog.

94. Can I get multiple locations authorized by ATC for a single airspace (Class D, for example)?

- a. Possibly. When you request your authorization from ATC, you will need to enter a central point, but then are allowed to input a radius. Depending on how large your radius is, you may only need to submit one request, or you may have to submit others.

95. Do I need a waiver to operate from a moving vehicle in a sparsely populated area?

- a. No. Part 107 permits operations from a moving vehicle (land or water based). However there are certain requirements which must be met, such as not transporting property for compensation or hire. The waiver exists for those operators who would like relief from the sparsely populated or transportation of property requirements.

96. What's the difference between an airspace authorization and an airspace waiver?

- a. The authorization is what most sUAS operators will need. This gives you permission to operate within Class B, C, D, or E SFC airspace. The airspace waiver would give you permission to operate in that same airspace *without* receiving ATC authorization.

97. How did certain companies get waivers the day Part 107 went into effect?

- a. CNN was part of the Focus Area Pathfinder Program along with two other companies. You can find out more here:

www.faa.gov/uas/programs_partnerships/focus_area_pathfinder/

98. Can you combine waivers together to complete a mission?

- a. Possibly. If you hold one or more waivers under Part 107, you might be able use them at the same time if permitted in the waiver. Remember, you must follow all conditions on any waiver you are using at the time.

99. Can an RPIC wear FPV goggles during flight?

- a. No.

- 100. How can I get a waiver which would allow me to collect aerial imagery of a town/city?**
- a. You will most likely need to apply for and receive a waiver for operation over people. If you believe your mission would take the sUA beyond VLOS, you would need an additional waiver. Keep in mind, that some waivers issued may not be “compatible” with other waivers. You need to comply with all conditions of each waiver you are using.
- 101. Are waivers made public? Can we see other people’s waivers?**
- a. Yes. Issued waivers can be found here:
www.faa.gov/uas/request_waiver/waivers_granted/
- 102. Do I need to hire an attorney to file my waiver request?**
- a. No. Follow the instructions and the Performance Based Standards.
- 103. For ATC authorizations, does it need to be the actual airport identifier?**
- a. Yes.
- 104. Do you need a waiver for closed set filming?**
- a. Not if your sUAS mission can be completed in accordance with Part 107. If not, then a waiver would be required.
- 105. Is the ATC Authorization going to replace issuing NOTAMs?**
- a. Under Part 107, there is no requirement for you to issue a NOTAM prior to flight (like many 333 Exemptions require).
- 106. Can you get a COW for operations within a certain airspace for a long period of time (2 years) instead of completing the on-line airspace authorization and waiting for days before a flight operation?**
- a. The goal is that you won’t have to wait days for your ATC airspace authorization, but for the process to be near-instant for most requests. If you are going to request a *waiver* for operating in Class B, C, D, or E SFC airspace, you will need to identify to the FAA very solid reasoning why you should be allowed to operate in that airspace without requiring specific ATC authorization.

- 107. If you ask for a waiver, and you say 200ft AGL, and they want you to be 100ft AGL, will it be flat out denied, or will the COW be modified to 100ft and go through?**
- a. More than likely, you would either be contacted by the FAA Inspector working the waiver, or you would be issued the waiver with the 100ft restriction. Just because you ask for something, doesn't mean you'll get it, nor does it mean your application would automatically be denied.
- 108. How difficult will it be to amend a waiver?**
- a. Not sure. As they online portal process is new, I don't know how difficult it will be to amend an issued waiver.
- 109. For purposes of search and rescue, if a beyond visible line of sight waiver is granted, could a remote pilot lower or winch down emergency medical supplies to a victim?**
- a. It depends on what conditions and limitations are attached to your waiver.
- 110. How long will the ATC Authorization be valid? When does it expire?**
- a. That depends on many variables: location, altitude, time, etc. As authorizations begin to roll out on October 3rd, we will know more.
- 111. Could I submit an Authorization request for class B airspace with a begin date of Dec 5th and an end date of Jan 5th?**
- a. Yes, although you may not receive approval starting December 5th and you may not have authorization through January 5th. It all depends on where, when, and how high you want to operate.
- 112. Could you give me an example of a situation needing an ATC authorization to operate in Class E airspace?**
- a. Class E airspace not associated with an airport surface area does not require ATC authorization. If you hold a waiver which grants you relief to operate at altitudes other than that provided for in Part 107, your waiver may require you to receive ATC authorization.

- 113. Part 107 says to get authorization from ATC to operate in controlled airspace. Why did FAA then distribute JO 7200.23 telling ATC not to grant authorization?**
- a. When an operator requests ATC authorization through the online portal, that request is granted/handled by Air Traffic Control. ATC personnel are not supposed to be giving authorizations outside of the portal requests.
- 114. Do you see a time when UAS waivers will be handled by FSDOs?**
- a. Yes. Not sure when, but I expect that to happen.
- 115. Working in road and bridge construction, would a waiver ever be approved to fly over roads and bridges with live traffic?**
- a. Yes, you may request a waiver to §107.39.
- 116. Do I have to submit two ATC Authorization requests for a project that may intersect two airports? One airport would intersect class D airspace and the other would intersect E to the surface.**
- a. No. Your one request will have a focal point and then a radius. Your authorization would be valid for that *area*.
- 117. Can UAS operators under part 107 obtain a letter of agreement with ATC facilities in lieu of having to get individual airspace authorizations through the FAA website?**
- a. No.
- 118. If we need a waiver to do closed set work like my 333 with a MPTOM do we need one for every occurrence, or can we get a blanket one that last a few years?**
- a. Waivers may be issued up to 4 years.
- 119. What do we put for our 107 cert number if we still have a temp certificate? Do I put my manned Part 61 number until I get the 107 Card?**
- a. No. Enter "Pending".

333 EXEMPTIONS

120. What is happening to the 333 Exemptions that are pending?

- a. We've divided them into three Tiers: Exemptions which are met by Part 107; Exemption which are met through waivers under Part 107; Exemptions which are very unique. For the first, the petitioner will receive a notice that their exemption will not be issued as Part 107 meets their request. For the second group, they will be issued waivers to Part 107 and their exemption will not be issued. Finally, the third group will have their exemption processed after Headquarters review.

121. Operating under my 333 Exemption or Part 107, which should I use?

- a. Use whichever one fits your mission best. Keep in mind, you MUST follow ALL requirements of EITHER Part 107 *or* your 333 Exemption. You cannot use both at the same time. If you have a Certificate of Authorization attached to your 333 Exemption, you may only utilize that in accordance with all of the conditions and limitations your 333 Exemption requires.

122. Can I still apply for a 333 Exemption?

- a. Yes. If you have a particular operation which cannot be conducted under Part 107 or with any of the waivers under Part 107, you can still request an exemption. The process is identical to pre-Part 107 petitions.

123. If I hold a 333 Exemption, may I contact ATC directly for authorization?

- a. It depends. Does your 333 Exemption or COA allow it? If so, you may choose to operate under your 333 Exemption in that regard. Remember you then have to follow ALL of the conditions and limitation of your Exemption and COA.

124. When choosing to operate under my 333 Exemption or Part 107, can this be done on a per-flight basis?

- a. Yes.

- 125. Does flying over people require a 333 Exemption?**
- a. No. It would require you to receive a waiver under Part 107 though.
- 126. What if you have a 333 and you have trouble finding a pilot to be your Pilot in Command?**
- a. Pay more? Kidding. I don't know. You may want to consider switching your operation to be under Part 107 (if it fits your business model).
- 127. What if my business has the 333? Can I get the 107?**
- a. You don't "get the 107", per se. You can certainly obtain your Remote Pilot certificate and then operate under Part 107.

CERTIFICATION

- 128. Does a Flight Review under 14 CFR 61.56 meet the 24 month recurrent training for Part 107?**
- a. I do not believe so. While there has not been a specific recurrent training program issued by the FAA yet, all indications are that you will need to take UAS specific recurrent training for your Remote Pilot Certificate.
- 129. When are permanent Remote Pilot certificates being sent?**
- a. Now. Some people have received them, some people (like me) are still waiting for it in the mail.
- 130. Is there a minimum age for someone manipulating the controls of a sUA under Part 107 while under the direct supervision of a Remote Pilot in Command?**
- a. No.
- 131. If I'm a manned aircraft pilot, but not current with a Flight Review, do I need to take the UAG Knowledge exam at a testing center?**
- a. Yes...or you can get your Flight Review completed and take the online course on faasafety.gov

- 132. Does the FAA recognize foreign Remote Pilot Certificates?**
- Not at this time.
- 133. How long do I have to wait to retake my UAG Knowledge exam if I don't pass?**
- 14 days.
- 134. Can a foreign citizen take the UAG Knowledge exam?**
- Yes.
- 135. Will the 2 year recurrent test be conducted online similar to the online testing for current part 61 certificated airmen?**
- Not known at this time as we are at least 22 months away from people needing to become recurrent under Part 107. Stay tuned for further updates.
- 136. How do I take the exam and what's the requirements?**
- Information regarding the UAG Knowledge exam can be found here:
www.faa.gov/uas/getting_started/fly_for_work_business/becoming_a_pilot/
- 137. Do you anticipate the FAA adding a practical element such as a checkride equivalent to the Remote Pilot license in the future?**
- Not that I've been made aware of.
- 138. You may not be able to answer this, but does holding a Part 107 certificate satisfy pilot rules for Transport Canada?**
- Sorry, I do not know the answer.
- 139. Are there any different requirements granted for those who had FAA ground school in the military and flew UAS's both in the U.S. and overseas (waiver of the UAS test)?**
- No. You need to meet the Part 61 pilot certificate and 61.56 requirements.
- 140. Will there ever be an instructor endorsement for UAS?**
- Not at this time.
- 141. Is there any plan for a IUAS (large UAS) rating for the remote pilot certificate? For those of us wanting to fly over 55lbs under part 107?**
- Not at this time, but the way the Remote Pilot certificate was issued, it certainly leaves room for other UAS ratings.

- 142. Do we have to take a test every 2 years after we receive our certificate?**
- a. You will need to complete a recurrent program (to be developed) every 24 calendar months.
- 143. Is there an age limit to become a sUAS RPIC?**
- a. Yes. A Remote Pilot in Command under Part 107 must be at least 16 years of age.
- 144. If I am a licensed remote pilot acting as Remote Pilot in Command, does the remote pilot flying under my supervision have to have a Remote Pilot license? Or can I use an experienced recreational pilot?**
- a. They do not need to hold a Remote Pilot certificate, but you must be able satisfy the requirements of §107.12(a)(2).

REGISTRATION

- 145. I registered as a hobbyist and then a commercial, what happens to my hobby registration?**
- a. Nothing. You can have one sUA registered both as a hobby and as a commercial aircraft. You could have two registration numbers on it. Remember, that while a commercial registration would satisfy a hobby flight, a hobby registration would not satisfy a commercial flight.
- 146. Can I fly multiple sUA with one registration number?**
- a. Under Part 107, no. Under hobby/recreation, yes.
- 147. How do I register my sUAS?**
- a. Visit the FAA's website: www.registermyuas.faa.gov The cost is \$5 paid every 3 years.
- 148. Can a foreign citizen register a UAS?**
- a. No. Only US Citizens may register their sUA with the FAA.

149. How would I change my registration of my UAS from hobby to commercial once I obtain my 107 cert?

- a. Re-register the sUA as commercial. You can have it registered as both. Make sure you have the commercial registration number on the sUA prior to flight.

150. Do you have to register prior to passing the 107 if you plan to eventually be commercial?

- a. No. Prior to commercial flight, you must have the sUA registered commercially.

HOBBY

151. Can a hobbyist operate an sUAS at night?

- a. Hobby/recreational operators are required to follow the community-based set of safety guidelines within the programming of a nationwide community-based organization. If those guidelines allow night operations, then yes.

152. I have flown RC sailplanes in the past and we launch on a winch line which pulls the sailplane up to 500' AGL. Am I no longer able to legally launch to this altitude?

- a. Assuming you are operating as a hobbyist, you need to comply with all the regulations related to hobby operations, including §101.41(b).

VIOLATIONS/ENFORCEMENT

153. If while flying a sUA you violate the rules and get your sUAS certificate revoked, will this affect a pilot certificate issued under Part 61 as well?

- a. My initial reaction is no. You are not exercising the privileges of your Part 61 pilot certificate when operating under Part 107. However, there has never been

an enforcement case brought under Part 107, so it's a little but untested in that regard.

154. How will the FAA find and prosecute violators?

- a. In the same manner we always have. Just because the violation involves a sUA doesn't mean the FAA is ignoring it. We follow up on every report of alleged violation to the Regulations.

155. Are there any established penalties for violations of Part 107?

- a. All regulatory violation sanctions are listed in FAA Order 2150.3.

156. How will the FAA deal with non-certificated operators in violation of Part 107?

- a. Civil penalties (fines).

157. What if a sUAS company owner threatens to fire the RPIC if the RPIC refuses to do something unsafe (like flying over people). Can the FAA go after the company owner(s) for creating an unsafe environment for the RPIC by "ordering" him to do something or face termination?

- a. I will base my answer on how we've dealt with manned aircraft situations. As the Remote Pilot in Command, it is YOUR responsibility to ensure safety and compliance with Part 107. If a company is trying to force you into violating the Regulations, the FAA will certainly look into them. Since UAS companies are certificated (think airlines, charter companies) there is a question as to what could be done. Time will tell.

158. What about very visible 'YouTubers' that continue to fly in no fly zones, TFR's, etc. over people BVLOS at night, etc.

- a. The FAA investigates every report of alleged illegal sUAS operation. Unfortunately there are way more sUAS operators than FAA Inspectors so we may not get to them as quickly as we'd like, but they are investigated.

PUBLIC USE

- 159. What about public service uses (fire departments, police, local city/state, etc.)**
- a. There are two options for those entities to operate their UAS: compliance with Part 107 or be certified as public use. More information can be found on our website: www.faa.gov/uas
- 160. Can I do volunteer work for my fire or police department by flying my sUA over emergency situations?**
- a. No. This would not be considered a hobby/recreational flight and would be subject to Part 107.
- 161. I'm operating as a law enforcement agency. Obviously I cannot predict 90 days in the future where and when I need to be operating. How can I operate under emergency conditions and/or unexpected conditions... whether it is night time operations or restricted airspace without having to apply nearly 3 months in the future?**
- a. Public agencies such as law enforcement may want to consider operating as Public Use and receive a COA. While it takes more paperwork on the front end to be certified, it provides considerable more flexibility during the operation phase. More information can be found here (scroll to the bottom):
www.faa.gov/uas/beyond_the_basics/#gov
- 162. What are the FAA rules for local City Police Departments to utilize a UAS to serve warrants and other immediate incidents?**
- a. sUAS operated for other than hobby/recreation must comply with an existing 333 Exemption, Part 107, or Public Use. Once you are in compliance with one of those options, you would need to follow local/state laws for warrants, etc.