

Skies open to newsgathering drones on Monday

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The greatly anticipated commercial drone regulations, the new Part 107 of the Federal Aviation Regulations, are effective next week, on August 29, 2016. A new category of airman, "remote pilot," can fly drones weighing less than 55 pounds. No longer

do commercial operators need to recruit airplane or helicopter pilots to fly drones. Reporters, photogs, and producers can become remote pilots after some aviation knowledge study and completion of a written test at an approved testing site.

So what does all this mean for journalism? In addition to greater flexibility for who operates drones, the new rules eliminate the 24-hour advance notice requirement for an FAA NOTAM, the requirement that flight occur only over property owned by the operator or as to which the operator has permission, quantitative limitations on proximity to airports, and the requirement for a separate visual observer. Flight near, but not directly over, people is now permissible.

The prohibitions against night flying and flights directly over people still may restrict some desirable news operations but the new rules otherwise open things up considerably for ENG drones, and the FAA has invited requests for waiver of the night and over-people restrictions.

The new rules continue many by-now familiar limitations:

- Flights must remain at or below 400 feet above ground level,

- or no more than 400 feet above the top of a structure when the drone remains within 400 feet horizontally;
- The remote pilot or a visual observer must keep the drone within line of sight;
 - Remote pilots may allow others to manipulate the controls of a drone, as long as the remote pilots retains the ability to take direct control.
 - Remote pilots must conduct a preflight inspection
 - No one may operate a drone when suffering from a physical or mental condition that would interfere with safe operation;
 - No one may operate a drone in a careless or reckless manner so as to endanger the life or property of another;
 - No operations from a moving land or water vehicle are permitted except over sparsely populated areas;
 - A remote pilot may not operate more than one drone at the same time;
 - Operations in Class B, C, D, or airport areas of Class E airspace require prior authorization from ATC, and no one may operate a drone so as to interfere with operations and traffic patterns at airports, heliports, or seaplane bases;
 - Flight visibility must be at least 3 statute miles, and the drone

may not be flown higher than 500 feet below clouds or within 2,000 feet horizontally of them.

- Accidents involving serious injury or loss of consciousness of damage of \$500 or more must be reported to the FAA within 10 days.

Many news stations will recognize the advantages of being able to use this new tool to add overhead perspective to a story. News helicopters will still be the king of the skies but a small drone dispatched in news truck can be used effectively when the truck arrives, allowing the helicopter to travel to the next breaking story. Stations that lack the budget for a helicopter, will now have an aerial platform to add another dimension for storytelling.

Although some stations will want turnkey contracts for drone support, modelled on how many news helicopter programs work, others will want in-house capability. Here are the practical steps for building that capability with news personnel who are not already pilots:

- a.) Schedule an appointment with a [Knowledge Testing Center](#) (KTC).
- b.) Pass the remote pilot knowledge test.

c). Complete FAA Form 8710-13, which can be done online on the FAA's IACRA system.

The applicant will receive a confirmation email when the FAA completes an applicant's TSA security background check. This email will provide instructions for printing a copy of a temporary remote pilot certificate from IACRA. The FAA will send a permanent remote pilot certificate via mail once the processing is complete.

Personnel who are already pilots can follow a somewhat different path, although they too can take the new knowledge test:

- a.) Complete the online training course "Part 107 small Unmanned Aircraft Systems (sUAS) ALC-451.
- b.) Complete FAA Form 8710-13.
- c.) Present the completed Form 8710-13 along with the online course completion certificate and proof of a current flight review to an FAA Flight Standards District Office (FSDO), an FAA- designated pilot examiner (DPE), an airman certification representative (ACR), or an FAA-certified flight instructor (CFI).

The FSDO, DPE, or ACR will issue the applicant a temporary airman certificate, but a CFI is not authorized to issue a temporary certificate. A permanent remote pilot certificate will be sent via mail once all other FAA-internal processing is complete.

The new knowledge test and the training course are of intermediate difficulty, considerably easier than the traditional pilot knowledge tests, but considerably more difficult than drivers' license examinations. We have written a little book to help non-aviators master the knowledge they need to pass the test, which is available now: [Small drone guide: Pass the FAA remote pilot test](#).

Existing section 333 exemptions are still valid if operators elect to keep them. This may be in their best interest if a specific type of operation is allowed by the exemption but not by the new Part 107 rules. Operators may not, however, pick and choose between which operating rules they want to use on a per-mission basis.

Part 107 does not apply to hobbyist/recreational flyers; those folks are still covered under section 336 of the 2012 Act and

essentially exempt from detailed FAA regulation. All drones, both recreational and commercial ones, must be registered, however.

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