

RCAPA PROPOSED SPECIAL RULE FOR MICRO UNMANNED AIRCRAFT.

(a) In General. – Notwithstanding any other provision of the law relating to the incorporation of unmanned aircraft systems into the Federal Aviation Administration plans and policies, including this subtitle, the Administrator of the Federal Aviation Administration may not promulgate any rule or regulation regarding a model aircraft, or an aircraft defined as a Micro Unmanned Aircraft (Micro UA, see below for definition), if

- (1) the aircraft is flown for academic, research, or business use;
- (2) the aircraft is operated in accordance with a community-based set of safety guidelines and within the programming of a nationwide community-based organization;
- (3) the aircraft and payload (or total takeoff weight) is limited to not more than 4 pounds and is frangible (constructed primarily of wood, foam and/or plastic) unless otherwise certified through a design, construction, inspection, flight test, and operational safety program administered by a community-based organization;
- (4) the aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft; and
- (5) when flown within 5 miles of the approach of any charted airport, the operator of the aircraft provides the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport) with prior notice of the operation.
- (6) daylight operation only.

(b) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue enforcement action against persons operating aircraft who endanger the safety of the national airspace system.

(c) Micro UA DEFINED.—In this section, the term “micro UA” means an unmanned aircraft that is—

- (1) capable of sustained flight in the atmosphere;
- (2) weighs no more than 4 pounds
- (3) constructed primarily of wood, foam and or plastic and of frangible construction;
- (4) has no sharp edges or protrusions
- (5) operated at or below 400’ AGL in Class G airspace.
- (6) flown within visual line-of-sight (VLOS) of the Operator.

(6) has a forward velocity of less than 35 knots

Additional Operational Limits

(a) The Pilot in Command (PIC), no less than one hour prior to beginning a flight, will inform the controlling authority of all public use airports, heliports or seaplane bases within 3 miles of the area in which the flight will take place the time and place of the flight operations and inquires regarding any specific areas where a micro UAS flight shall be avoided.

(b) The PIC will initiate a call by cell phone to the nearest controlling authority to assure cell coverage and provide a call back number to facilitate contact of the PIC by the Controlling Authority if for any reason micro UAS flight operations must suddenly be restricted or suspended.