

AMENDMENT TO H.R. 2997

OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

Page 258, line 4, strike the closing quotation marks and the final period.

Page 258, after line 4, insert the following (and conform the chapter analysis accordingly):

1 “§ 45511. Micro UAS operations

2 “(a) IN GENERAL.—Not later than 60 days after the
3 date of enactment of this section, the Administrator of the
4 Federal Aviation Administration shall charter an aviation
5 rulemaking advisory committee to develop recommenda-
6 tions for regulations under which any person may operate
7 a micro unmanned aircraft system, the aircraft component
8 of which weighs 4.4 pounds or less, including payload,
9 without the person operating the system being required
10 to pass any airman certification requirement, including
11 any requirements under section 44703, part 61 of title 14,
12 Code of Federal Regulations, or any other rule or regula-
13 tion relating to airman certification.

14 “(b) CONSIDERATIONS.—In developing recommenda-
15 tions for the operation of micro unmanned aircraft sys-
16 tems under subsection (a), the members of the aviation

1 rulemaking advisory committee shall consider rules for op-
2 eration of such systems as follows:

3 “(1) At an altitude of less than 400 feet above
4 ground level.

5 “(2) With an airspeed of not greater than 40
6 knots.

7 “(3) Within the visual line of sight of the oper-
8 ator.

9 “(4) During the hours between sunrise and
10 sunset.

11 “(5) By an operator who has passed an aero-
12 nautical knowledge and safety test administered by
13 the Federal Aviation Administration online specifi-
14 cally for the operation of micro unmanned aircraft
15 systems, with such test being of a length and dif-
16 ficulty that acknowledges the reduced operational
17 complexity and low risk of micro unmanned aircraft
18 systems.

19 “(6) Not over unprotected persons uninvolved
20 in its operation.

21 “(7) At least 5 statute miles from the geo-
22 graphic center of a tower-controlled airport or air-
23 port denoted on a current Federal Aviation Adminis-
24 tration-published aeronautical chart, except that a
25 micro unmanned aircraft system may be operated

1 closer than 5 statute miles to the airport if the oper-
2 ator—

3 “(A) provides prior notice to the airport
4 operator; and

5 “(B) receives, for a tower-controlled air-
6 port, prior approval from the air traffic control
7 facility located at the airport.

8 “(c) CONSULTATION.—

9 “(1) IN GENERAL.—In developing recommenda-
10 tions for recommended regulations under subsection
11 (a), the aviation rulemaking committee shall consult
12 with—

13 “(A) unmanned aircraft systems stake-
14 holders, including manufacturers of micro un-
15 manned aircraft systems;

16 “(B) community-based aviation organiza-
17 tions;

18 “(C) the Center of Excellence for Un-
19 manned Aircraft Systems; and

20 “(D) appropriate Federal agencies.

21 “(2) FACA.—The Federal Advisory Committee
22 Act (5 U.S.C. App.) shall not apply to an aviation
23 rulemaking advisory committee chartered under this
24 subsection.

1 “(d) RULEMAKING.—Not later than 180 days after
2 the date of receipt of the recommendations under sub-
3 section (a), the Administrator shall issue regulations in-
4 corporating recommendations of the aviation rulemaking
5 committee that provide for the operation of micro un-
6 manned aircraft systems in the United States—

7 “(1) without an airman certificate; and

8 “(2) without an airworthiness certificate for the
9 associated unmanned aircraft.

10 “(e) SCOPE OF REGULATIONS.—

11 “(1) IN GENERAL.—In determining whether a
12 person may operate an unmanned aircraft system
13 under 1 or more of the circumstances described
14 under paragraphs (1) through (3) of subsection (b),
15 the Administrator shall use a risk-based approach
16 and consider, at a minimum, the physical and func-
17 tional characteristics of the unmanned aircraft sys-
18 tem.

19 “(2) LIMITATION.—The Administrator may
20 only issue regulations under this section for un-
21 manned aircraft systems that the Administrator de-
22 termines may be operated safely in the national air-
23 space system pursuant to those regulations.

24 “(f) RULES OF CONSTRUCTION.—Nothing in this
25 section may be construed—

1 “(1) to prohibit a person from operating an un-
2 manned aircraft system under a circumstance de-
3 scribed under paragraphs (1) through (3) of sub-
4 section (b) if—

5 “(A) the circumstance is allowed by regula-
6 tions issued under this section; and

7 “(B) the person operates the unmanned
8 aircraft system in a manner prescribed by the
9 regulations; or

10 “(2) to limit or affect in any way the Adminis-
11 trator’s authority to conduct a rulemaking, make a
12 determination, or carry out any activity related to
13 unmanned aircraft or unmanned aircraft systems
14 under any other provision of law.”.

