



## Chapter 736 Newsletter for March 2016

### **Senate bill calls for certification of unmanned aircraft**

The Senate's version of the FAA Reauthorization Act of 2016 has finally made it out of committee, and it contains 65 pages of requirements for unmanned aircraft systems (UAS). Some of these provisions go to the heart of the Federal Aviation Administration's (FAA) philosophy for dealing with unmanned aircraft. If enacted, the legislation could have a profound impact on the development of this industry.

First and foremost, the bill will require all small UAS to meet design and production standards within one year from enactment. Manufacturers will not be allowed to sell any UAS in the United States unless they certify to the FAA that their design and manufacturing processes meet these new standards, and that random production samples are tested to the standard. A manufacturer will also have to provide a sample of the UAS to the FAA for review.

While the Senate is clear that it does not want the FAA to use the existing certification processes, lawmakers are essentially creating a "light" version of type certification. The FAA would retain some flexibility under the bill, as the agency can determine the applicability of the standard. However, it would be within the FAA's discretion to apply the standard to all aircraft.

In addition, it is not clear if the Senate intends the FAA to apply these standards to model aircraft as well as aircraft operated commercially. What is clear is that, if enacted, the bill would reverse the course the FAA has taken with the small UAS rule, where airworthiness certification will only be required for vehicles that operate over people or beyond visual line of sight.

Another major philosophical change in the bill is the requirement that all operators (even model aircraft pilots) pass an "aeronautical knowledge and safety test." The FAA does, however, have the authority to conduct a rulemaking to find that a particular type of user

does not need to take the test. The bill also exempts aircraft under .55 pounds, and pilots under 13 years of age who fly under the supervision of an adult who has passed the test. The FAA would have 180 days to put the testing process in place after the bill becomes law. Interestingly, the FAA is specifically prohibited from issuing a civil penalty for a first-time violation of the requirement.

The Senate Committee on Commerce, Science, and Transportation also made three significant, last-minute additions to the bill. The first establishes a two-year deadline for the FAA to create a new operating certificate for unmanned aircraft package delivery operators. The second gives the FAA nine months to establish a rule for micro UAS (under two kilograms, or 4.4 pounds) that would not require a pilot's certificate and would be operated similarly to model aircraft. The third gives the FAA nine months to develop standards for UAS operations by institutions of "higher education." If the FAA does not complete the standards on time, the institutions can essentially operate on the same basis as model aircraft.

Given the significant differences between the House and Senate versions of the FAA Reauthorization, it is unclear what legislation will ultimately emerge when the House and Senate finish negotiating. The time for the industry to make its voice heard is short, and the time to act is now. We will keep you informed as the legislative process moves forward.

## **FAA Safety Briefing**

Topic: Rusty Pilot Seminar

On Wednesday, April 6, 2016 at 18:00 Eastern Daylight Time

Location:

Maine Instrument Flight

215 Winthrop Street

Augusta, ME 04330

### **Description:**

Life may have gotten in the way, but the dream of flight can be yours again. Returning to the skies is not as difficult as most rusty pilots think. We're inviting you back in the cockpit and will help you get there. Come and participate in a FREE Rusty Pilots program with fellow lapsed pilots. We will help you understand what's changed in aviation since you've last took the controls and brush up on your aviation knowledge. The Rusty Pilots program is developed by AOPA in partnership with local flight training providers in order to create the best environment for getting you back in the air and a part of the general aviation community.

To view further details and registration information for this seminar, [click here](#).

The sponsor for this seminar is: **FAASTeam, Portland FSDO**

The FAA Safety Team (FAASTeam) is committed to providing equal access to this meeting/event for all participants. If you need alternative formats or services because of a disability, please communicate your request as soon as possible with the person in the 'Contact Information' area of the meeting/event notice. Note that two weeks is usually required to arrange services.

The following credit(s) are available for the WINGS/AMT Programs:

Basic Knowledge 3 - 1 Credit

### **FAA Funding Extended until July**

Funding for the FAA has been extended through July 15, following House passage of a bill to keep the agency operating.

The [Senate passed an extension late last week](#), and the House followed on March 21. The extension now goes to President Barack Obama for a signature.

“This extension gives lawmakers additional time to work out the details of a more comprehensive reauthorization bill,” said AOPA Senior Vice President of Government Affairs Jim Coon. “Both the House and Senate have introduced legislation that would reform the third class medical, make it easier to install safety equipment in aircraft, fund the Airport Improvement Program, and continue research into unleaded aviation fuels. These issues are important to the GA community, and we want to see them addressed.”

The Senate could take up the [reauthorization legislation](#) after it returns to work April 4.