

ALERT

FAA Publishes Interim Final Rule on UAS Registration, Seeks Public Comment

December 14, 2015

The Federal Aviation Administration (FAA) announced today the establishment of an online registration process for owners of small unmanned aircraft systems (UAS). The FAA encourages stakeholders to comment on the Interim Final Rule (IFR) to aid in the establishment of permanent final rules on UAS registration. Comments will be due 30 days after the IFR is published in the Federal Register.

Overview of Registration Requirements. The IFR applies to small UAS weighing more than 0.55 pounds (250 grams) and less than 55 pounds (approx. 25 kilograms) including payloads such as on-board cameras. The requirements differ based on whether the owner is using the UAS exclusively as a model aircraft (i.e., for hobby and recreational purposes) or whether the owner is operating the UAS for a purpose other than as a model aircraft (i.e., for commercial purposes or as a public aircraft). Registration will take place through an online web-based system. Hobbyists will be required to provide their name, physical address, and email address. Non-hobbyists, including commercial operators, will need to supply this information as well as the aircraft manufacturer, model name, and serial number. The FAA will then issue a Certificate of Aircraft Registration with a unique registration number. Hobbyists can use one certificate for all UAS operated as model aircraft. Certificates issued to non-hobbyists will constitute registration only for the UAS identified in the application. The registration number must be marked on the small UAS.

Compliance Dates. The new rules require hobbyist owners of UAS purchased after December 21 of this year to register using the new process before the first outdoor flight occurs. Hobbyists who have

Authors

Sara M. Baxenberg
Partner
202.719.3755
sbaxenberg@wiley.law

Practice Areas

Telecom, Media & Technology
Uncrewed Aircraft Systems (UAS)

operated UAS prior to December 21 must register by February 19, 2016. Non-hobbyists, including commercial operators with Section 333 exemptions, must continue to use the paper-based “N-Number” registration process under part 47 of the FAA’s rules until March 31, 2016, at which point they have the option of switching to the online process.

Registration Fee. An individual owner registering small UAS operated exclusively as model aircraft must pay a single fee of \$5 for the issuance of a Certificate of Aircraft Registration and registration number for his or her fleet of aircraft and an additional \$5 fee every three years for renewal of the registration. Owners of small UAS used as other than model aircraft (e.g., for a commercial purpose) are required to pay a fee of \$5 to register each aircraft and a \$5 fee every three years for renewal of the registration for each aircraft. In an effort to encourage as many people as possible to register quickly, the FAA is waiving this fee for the first 30 days (from December 21, 2015 to January 20, 2016).

The FAA has provided the following chart summarizing the new rules and requirements: **Issue Interim final rule requirement** Unmanned aircraft covered by the registration requirement

Unmanned aircraft weighing less than 55 pounds and more than 0.55 pounds (250 grams) on takeoff, including everything that is on board or otherwise attached to the aircraft and operated outdoors in the national airspace system must register. § 48.15 Timing of registration

Owners of small unmanned aircraft must register their aircraft prior to operation of the sUAS. § 48.15 Compliance dates

December 21, 2015

- Any small unmanned aircraft to be used exclusively as model aircraft that have never been operated.
- Small unmanned aircraft to be used in authorized operations as other than model aircraft continue to use part 47 registration process.

February 19, 2016

- Small unmanned aircraft to be used exclusively as model aircraft and have been operated by their owner prior to December 21, 2015.

March 31, 2016

- Small unmanned aircraft to be used in authorized operations other than as model aircraft continue to use part 47 registration process or use part 48 process. § 48.5 Minimum age to register a small unmanned aircraft

Persons 13 years of age and older are permitted to use the part 48 process to register a small unmanned aircraft. If the owner is less than 13 years of age, then the small unmanned aircraft must be registered by a person who is at least 13 years of age. § 48.25 Registration platform

Registration will occur through an online web-based system. § 48.100(c) Registration number

Each small unmanned aircraft intended to be used other than as a model aircraft and owned by individuals or other persons, including corporations, will be issued a Certificate of Aircraft Registration with a unique registration number.

§ 48.110(a)

A Certificate of Aircraft Registration and registration number issued to an individual intending to use small unmanned aircraft exclusively as model aircraft, constitutes registration for those small unmanned aircraft owned by that individual that are intended to be used exclusively as model aircraft. § 48.115(a) Registration information

Required information from persons registering small unmanned aircraft intended to be used as other than model aircraft.

- Applicant name or name of authorized representative.
- Applicant physical address (and mailing address if different than physical address).
- Applicant e-mail address or email address of authorized representative.
- Aircraft manufacturer and model name, and serial number, if available.
- Other information as required by the Administrator.

Required information from individuals registering small unmanned aircraft intended to be used exclusively as model aircraft.

- Applicant name.
- Applicant physical address (and mailing address if different than physical address).
- Applicant e-mail address.
- Other information as required by the Administrator. § 48.100 Registration fee

Persons intending to use the small unmanned aircraft other than as model aircraft.

- \$5 to register each aircraft.

Individuals intending to use the small unmanned aircraft exclusively as model aircraft.

- \$5 to register an individual's fleet of small unmanned aircraft. § 48.30 Delivery of Certificate of Aircraft Registration

Upon completion of the registration process, the Certificate of Aircraft registration will be delivered to the aircraft owner via the same web-based platform used to register the aircraft. § 48.100(d) Information contained on the Certificate of Aircraft Registration Small unmanned aircraft owner name, issue date and

registration number. Registration renewal and fee

A Certificate of Aircraft Registration issued in accordance with part 48 is effective once the registration process is complete and must be renewed every three years.

The fee for renewal of a Certificate of Aircraft Registration is \$5. §§ 48.110(c), 48.115(c) Marking

All small unmanned aircraft must display a unique identifier.

- A unique identifier is the FAA-issued registration number.
- The Administrator may authorize the use of the small unmanned aircraft serial number. § 48.200