

AMENDMENT TO H.R. 4
OFFERED BY MR. DEFAZIO OF OREGON

Page 138, strike line 1 and all that follows through line 9 on page 141 and insert the following (and update the table of contents accordingly):

1 **“§45509. Exception for limited recreational oper-**
2 **ations of unmanned aircraft**

3 “(a) IN GENERAL.—Except as provided in subsection
4 (e), and notwithstanding chapter 447 of title 49, United
5 States Code, a person may operate a small unmanned air-
6 craft without specific certification or operating authority
7 from the Federal Aviation Administration if the operation
8 adheres to all of the following limitations:

9 “(1) The aircraft is flown strictly for rec-
10 reational purposes.

11 “(2) The aircraft is operated in accordance with
12 or within the programming of a community-based
13 set of safety guidelines that conform with published
14 Federal Aviation Administration advisory materials.

15 “(3) The aircraft is flown within the visual line
16 of sight of the person operating the aircraft or a vis-
17 ual observer co-located and in direct communication
18 with the operator.

1 “(4) The aircraft is operated in a manner that
2 does not interfere with and gives way to any manned
3 aircraft.

4 “(5) In Class B, Class C, or Class D airspace
5 or within the lateral boundaries of the surface area
6 of Class E airspace designated for an airport, the
7 operator obtains prior authorization from the Ad-
8 ministrator or designee before operating and com-
9 plies with all airspace restrictions and prohibitions.

10 “(6) In Class G airspace, the aircraft is flown
11 from the surface to not more than 400 feet above
12 ground level and complies with all airspace restric-
13 tions and prohibitions.

14 “(7) The operator has passed an aeronautical
15 knowledge and safety test described in subsection (g)
16 and administered by the Federal Aviation Adminis-
17 tration online for the operation of unmanned aircraft
18 systems and maintains proof of test passage to be
19 made available to the Administrator or law enforce-
20 ment upon request.

21 “(8) The aircraft is registered and marked in
22 accordance with chapter 441 of this title and proof
23 of registration is made available to the Adminis-
24 trator or a designee of the Administrator or law en-
25 forcement upon request.

1 “(b) OTHER OPERATIONS.—Unmanned aircraft op-
2 erations that do not conform to the limitations in sub-
3 section (a) must comply with all statutes and regulations
4 generally applicable to unmanned aircraft and unmanned
5 aircraft systems.

6 “(c) OPERATIONS AT FIXED SITES.—

7 “(1) OPERATING PROCEDURE REQUIRED.—Per-
8 sons operating unmanned aircraft under subsection
9 (a) from a fixed site within Class B, Class C, or
10 Class D airspace or within the lateral boundaries of
11 the surface area of Class E airspace designated for
12 an airport, or a community-based organization con-
13 ducting a sanctioned event within such airspace,
14 shall establish a mutually agreed upon operating
15 procedure with the air traffic control facility.

16 “(2) UNMANNED AIRCRAFT WEIGHING MORE
17 THAN 55 POUNDS.—A person may operate an un-
18 manned aircraft weighing more than 55 pounds, in-
19 cluding the weight of anything attached to or carried
20 by the aircraft, under subsection (a) if—

21 “(A) the unmanned aircraft complies with
22 standards and limitations developed by a com-
23 munity-based organization and approved by the
24 Administrator; and

1 “(B) the aircraft is operated from a fixed
2 site as described in paragraph (1).

3 “(d) UPDATES.—

4 “(1) IN GENERAL.—The Administrator, in con-
5 sultation with government and industry stake-
6 holders, including community-based organizations,
7 shall initiate a process to periodically update the
8 operational parameters under subsection (a), as ap-
9 propriate.

10 “(2) CONSIDERATIONS.—In updating an oper-
11 ational parameter under paragraph (1), the Admin-
12 istrator shall consider—

13 “(A) appropriate operational limitations to
14 mitigate risks to aviation safety and national
15 security, including risk to the uninvolved public
16 and critical infrastructure;

17 “(B) operations outside the membership,
18 guidelines, and programming of a community-
19 based organization;

20 “(C) physical characteristics, technical
21 standards, and classes of aircraft operating
22 under this section;

23 “(D) trends in use, enforcement, or inci-
24 dents involving unmanned aircraft systems;

1 “(E) ensuring, to the greatest extent prac-
2 ticable, that updates to the operational param-
3 eters correspond to, and leverage, advances in
4 technology; and

5 “(F) equipage requirements that facilitate
6 safe, efficient, and secure operations and fur-
7 ther integrate all unmanned aircraft into the
8 National Airspace System.

9 “(3) SAVINGS CLAUSE.—Nothing in this sub-
10 section shall be construed as expanding the author-
11 ity of the Administrator to require a person oper-
12 ating an unmanned aircraft under this section to
13 seek permissive authority of the Administrator, be-
14 yond that required in subsection (a) of this section,
15 prior to operation in the National Airspace System.

16 “(e) STATUTORY CONSTRUCTION.—Nothing in this
17 section shall be construed to limit the authority of the Ad-
18 ministrator to pursue an enforcement action against a per-
19 son operating any unmanned aircraft who endangers the
20 safety of the National Airspace System.

21 “(f) EXCEPTIONS.—Nothing in this section prohibits
22 the Administrator from promulgating rules generally ap-
23 plicable to unmanned aircraft, including those unmanned
24 aircraft eligible for the exception set forth in this section,
25 relating to—

1 “(1) updates to the operational parameters for
2 unmanned aircraft in subsection (a);

3 “(2) the registration and marking of unmanned
4 aircraft;

5 “(3) the standards for remotely identifying
6 owners and operators of unmanned aircraft systems
7 and associated unmanned aircraft; and

8 “(4) other standards consistent with maintain-
9 ing the safety and security of the National Airspace
10 System.

11 “(g) AERONAUTICAL KNOWLEDGE AND SAFETY
12 TEST.—

13 “(1) IN GENERAL.—Not later than 180 days
14 after the date of enactment of this section, the Ad-
15 ministrator, in consultation with manufacturers of
16 unmanned aircraft systems, other industry stake-
17 holders, and community-based aviation organiza-
18 tions, shall develop an aeronautical knowledge and
19 safety test that can be administered electronically.

20 “(2) REQUIREMENTS.—The Administrator shall
21 ensure the aeronautical knowledge and safety test is
22 designed to adequately demonstrate an operator’s—

23 “(A) understanding of aeronautical safety
24 knowledge; and

1 “(B) knowledge of Federal Aviation Ad-
2 ministration regulations and requirements per-
3 taining to the operation of an unmanned air-
4 craft system in the National Airspace System.”.

