AMENDMENT TO H.R. 4
OFFERED BY MR. LEWIS OF MINNESOTA

Page 161, after line 22, insert the following:

SEC. 342. UNMANNED AIRCRAFT SYSTEMS INTEGRATION PILOT PROGRAM.

(a) AUTHORITY.—The Secretary of Transportation may establish a pilot program to enable enhanced drone operations as required in the October 25, 2017 Presidential Memorandum entitled “Unmanned Aircraft Systems Integration Pilot Program” and described in 82 Federal Register 50301.

(b) APPLICATIONS.—The Secretary shall accept applications from State, local, and Tribal governments, in partnership with unmanned aircraft system operators and other private-sector stakeholders, to test and evaluate the integration of civil and public UAS operations into the low-altitude national airspace system.

(c) OBJECTIVES.—The purpose of the pilot program is to accelerate existing UAS integration plans by working to solve technical, regulatory, and policy challenges, while enabling advanced UAS operations in select areas subject to ongoing safety oversight and cooperation between the
Federal Government and applicable State, local, or Tribal jurisdictions, in order to—

(1) accelerate the safe integration of UAS into the NAS by testing and validating new concepts of beyond visual line of sight operations in a controlled environment, focusing on detect and avoid technologies, command and control links, navigation, weather, and human factors;

(2) address ongoing concerns regarding the potential security and safety risks associated with UAS operating in close proximity to human beings and critical infrastructure by ensuring that operators communicate more effectively with Federal, State, local, and Tribal law enforcement to enable law enforcement to determine if a UAS operation poses such a risk;

(3) promote innovation in and development of the United States unmanned aviation industry, especially in sectors such as agriculture, emergency management, inspection, and transportation safety, in which there are significant public benefits to be gained from the deployment of UAS; and

(4) identify the most effective models of balancing local and national interests in UAS integration.
(d) APPLICATION SUBMISSION.—The Secretary shall establish application requirements and require applicants to include the following information:

(1) Identification of the airspace to be used, including shape files and altitudes.

(2) Description of the types of planned operations.

(3) Identification of stakeholder partners to test and evaluate planned operations.

(4) Identification of available infrastructure to support planned operations.

(5) Description of experience with UAS operations and regulations.

(6) Description of existing UAS operator and any other stakeholder partnerships and experience.

(7) Description of plans to address safety, security, competition, privacy concerns, and community outreach.

(e) REASONABLE TIME, MANNER, AND PLACE LIMITATIONS.—

(1) IN GENERAL.—

(A) REQUESTS.—The Lead Applicant may request reasonable time, place and manner limitations on low-altitude UAS operations within its jurisdiction to facilitate the proposed devel-
opment and testing of new and innovative UAS
concepts of operations in addition to other se-
lection criteria.

(B) SELF-IMPLEMENTING PROVISIONS.—
The Secretary shall require jurisdictions to en-
sure that any time, place and manner limita-
tions, including those adopted through means
such as legislation or regulation, include self-
implementing provisions that automatically ter-
minate those restrictions upon the termination
of the Memorandum of Agreement.

(C) MONITORING AND ENFORCEMENT.—

(i) IN GENERAL.—Monitoring and en-
forcement of any limitations enacted pur-
suant to this pilot project shall be the re-
ponsibility of the jurisdiction.

(ii) SAVINGS PROVISION.—Nothing in
clause (i) may be construed to prevent the
Secretary from enforcing Federal law.

(2) EXAMPLES.—Examples of reasonable time,
manner, and place limitations may include—

(A) prohibiting flight during specified
morning and evening rush hours or only permit-
ting flight during specified hours such as day-
light hours, sufficient to ensure reasonable air-
space access;

(B) establishing designated take-off and
landing zones, limiting operations over moving
locations or fixed site public road and parks,
sidewalks or private property based on zoning
density, or other land use considerations;

(C) requiring notice to public safety or
zoning or land use authorities before operating;

(D) limiting UAS operations within des-
ignated altitudes within airspace over the juris-
diction;

(E) specifying maximum speed of flight
over specified areas;

(F) prohibiting operations in connection
with community or sporting events that do not
remain in one place (for example, parades and
running events); and

(G) mandating equipage.

(f) SELECTION CRITERIA.—In making determina-
tions, the Secretary shall evaluate whether applications
meet or exceed the following criteria:

(1) Overall economic, geographic, and climatic
diversity of the selected jurisdictions.
(2) Overall diversity of the proposed models of government involvement.

(3) Overall diversity of the UAS operations to be conducted.

(4) The location of critical infrastructure.

(5) The involvement of commercial entities in the proposal and their ability to advance objectives that may serve the public interest as a result of further integration of UAS into the NAS.

(6) The involvement of affected communities in, and their support for, participating in the pilot program.

(7) The commitment of the governments and UAS operators involved in the proposal to comply with requirements related to national defense, homeland security, and public safety and to address competition, privacy, and civil liberties concerns.

(8) The commitment of the governments and UAS operators involved in the proposal to achieve the following policy objectives:

   (A) Promoting innovation and economic development.

   (B) Enhancing transportation safety.

   (C) Enhancing workplace safety.
(D) Improving emergency response and search and rescue functions.

(E) Using radio spectrum efficiently and competitively.

(g) IMPLEMENTATION.—The Secretary shall use the data collected and experience gained over the course of this pilot program to—

(1) identify and resolve technical challenges to UAS integration;

(2) address airspace use to safely and efficiently integrate all aircraft;

(3) inform operational standards and procedures to improve safety (for example, detect and avoid capabilities, navigation and altitude performance, and command and control link);

(4) inform FAA standards that reduce the need for waivers (for example, for operations over human beings, night operations, and beyond visual line of sight); and

(5) address competing interests regarding UAS operational expansion, safety, security, roles and responsibilities of non-Federal Government entities, and privacy issues.

(h) DEFINITIONS.—In this section:
(1) The term “Lead Applicant” means an eligible State, local or Tribal government that has submitted a timely application.

(2) The term “NAS” means the low-altitude national airspace system.

(3) The term “UAS” means unmanned aircraft system.