

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

Page 161, after line 22, insert the following:

1 **SEC. 342. UNMANNED AIRCRAFT SYSTEMS INTEGRATION**
2 **PILOT PROGRAM.**

3 (a) **AUTHORITY.**—The Secretary of Transportation
4 may establish a pilot program to enable enhanced drone
5 operations as required in the October 25, 2017 Presi-
6 dential Memorandum entitled “Unmanned Aircraft Sys-
7 tems Integration Pilot Program” and described in 82 Fed-
8 eral Register 50301.

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

15 (c) **OBJECTIVES.**—The purpose of the pilot program
16 is to accelerate existing UAS integration plans by working
17 to solve technical, regulatory, and policy challenges, while
18 enabling advanced UAS operations in select areas subject
19 to ongoing safety oversight and cooperation between the

1 Federal Government and applicable State, local, or Tribal
2 jurisdictions, in order to—

3 (1) accelerate the safe integration of UAS into
4 the NAS by testing and validating new concepts of
5 beyond visual line of sight operations in a controlled
6 environment, focusing on detect and avoid tech-
7 nologies, command and control links, navigation,
8 weather, and human factors;

9 (2) address ongoing concerns regarding the po-
10 tential security and safety risks associated with UAS
11 operating in close proximity to human beings and
12 critical infrastructure by ensuring that operators
13 communicate more effectively with Federal, State,
14 local, and Tribal law enforcement to enable law en-
15 forcement to determine if a UAS operation poses
16 such a risk;

17 (3) promote innovation in and development of
18 the United States unmanned aviation industry, espe-
19 cially in sectors such as agriculture, emergency man-
20 agement, inspection, and transportation safety, in
21 which there are significant public benefits to be
22 gained from the deployment of UAS; and

23 (4) identify the most effective models of bal-
24 ancing local and national interests in UAS integra-
25 tion.

1 (d) APPLICATION SUBMISSION.—The Secretary shall
2 establish application requirements and require applicants
3 to include the following information:

4 (1) Identification of the airspace to be used, in-
5 cluding shape files and altitudes.

6 (2) Description of the types of planned oper-
7 ations.

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

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

12 (5) Description of experience with UAS oper-
13 ations and regulations.

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

16 (7) Description of plans to address safety, secu-
17 rity, competition, privacy concerns, and community
18 outreach.

19 (e) REASONABLE TIME, MANNER, AND PLACE LIM-
20 ITATIONS.—

21 (1) IN GENERAL.—

22 (A) REQUESTS.—The Lead Applicant may
23 request reasonable time, place and manner limi-
24 tations on low-altitude UAS operations within
25 its jurisdiction to facilitate the proposed devel-

1 opment and testing of new and innovative UAS
2 concepts of operations in addition to other se-
3 lection criteria.

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

12 (C) MONITORING AND ENFORCEMENT.—
13 (i) IN GENERAL.—Monitoring and en-
14 forcement of any limitations enacted pur-
15 suant to this pilot project shall be the re-
16 sponsibility of the jurisdiction.

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

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

22 (A) prohibiting flight during specified
23 morning and evening rush hours or only permit-
24 ting flight during specified hours such as day-

1 light hours, sufficient to ensure reasonable air-
2 space access;

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

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

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

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

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

19 (G) mandating equipage.

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

23 (1) Overall economic, geographic, and climatic
24 diversity of the selected jurisdictions.

1 (2) Overall diversity of the proposed models of
2 government involvement.

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

5 (4) The location of critical infrastructure.

6 (5) The involvement of commercial entities in
7 the proposal and their ability to advance objectives
8 that may serve the public interest as a result of fur-
9 ther integration of UAS into the NAS.

10 (6) The involvement of affected communities in,
11 and their support for, participating in the pilot pro-
12 gram.

13 (7) The commitment of the governments and
14 UAS operators involved in the proposal to comply
15 with requirements related to national defense, home-
16 land security, and public safety and to address com-
17 petition, privacy, and civil liberties concerns.

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

21 (A) Promoting innovation and economic
22 development.

23 (B) Enhancing transportation safety.

24 (C) Enhancing workplace safety.

1 (D) Improving emergency response and
2 search and rescue functions.

3 (E) Using radio spectrum efficiently and
4 competitively.

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

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

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

12 (3) inform operational standards and proce-
13 dures to improve safety (for example, detect and
14 avoid capabilities, navigation and altitude perform-
15 ance, and command and control link);

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

20 (5) address competing interests regarding UAS
21 operational expansion, safety, security, roles and re-
22 sponsibilities of non-Federal Government entities,
23 and privacy issues.

24 (h) DEFINITIONS.—In this section:

1 (1) The term “Lead Applicant” means an eligi-
2 ble State, local or Tribal government that has sub-
3 mitted a timely application.

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

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

