

AMENDMENT TO H.R. 4
OFFERED BY MR. SANFORD OF SOUTH CAROLINA

Page 138, strike line 1 and all that follows through
page 141, line 9, and insert the following:

1 “§ 45509. Special rules for model aircraft

2 “(a) IN GENERAL.—Notwithstanding any other pro-
3 vision of law relating to the incorporation of unmanned
4 aircraft systems into Federal Aviation Administration
5 plans and policies, including this subtitle, the Adminis-
6 trator of the Federal Aviation Administration may not
7 promulgate any rule or regulation regarding a model air-
8 craft or an aircraft being developed as a model aircraft;
9 except for—

10 “(1) rules regarding the registration of certain
11 model aircraft pursuant to section 44103; and

12 “(2) rules regarding unmanned aircraft that by
13 design provide advanced flight capabilities enabling
14 active, sustained, and controlled navigation of the
15 aircraft beyond the visual line of sight of the oper-
16 ator, if—

17 “(A) the aircraft is flown strictly for hobby
18 or recreational use;

1 “(B) the model aircraft operator is a cur-
2 rent member of a community-based organiza-
3 tion and whose aircraft is operated in accord-
4 ance with the organization’s safety rules;

5 “(C) the aircraft is limited to not more
6 than 55 pounds unless otherwise certified
7 through a design, construction, inspection,
8 flight test, and operational safety program ad-
9 ministered by a community-based organization;

10 “(D) the aircraft is operated in a manner
11 that does not interfere with and gives way to
12 any manned aircraft;

13 “(E) the aircraft is not operated over or
14 within the property of a fixed site facility that
15 operates amusement rides available for use by
16 the general public or the property extending
17 500 lateral feet beyond the perimeter of such
18 facility unless the operation is authorized by the
19 owner of the amusement facility; and

20 “(F) when flown within 3 miles of an air-
21 port, the operator of the aircraft provides the
22 airport operator and the airport air traffic con-
23 trol tower (when an air traffic facility is located
24 at the airport) with prior notice of the oper-
25 ation (model aircraft operators flying from a

1 permanent location within 3 miles of an airport
2 should establish a mutually agreed upon oper-
3 ating procedure with the airport operator and
4 the airport air traffic control tower (when an
5 air traffic facility is located at the airport)).

6 “(b) AUTOMATED INSTANT AUTHORIZATION.—When
7 the FAA has established a fully operational and functional
8 automated instant authorization and notification system,
9 the model aircraft operator shall use this system for access
10 to controlled airspace unless flown at a permanent location
11 made known to the Administrator (model aircraft opera-
12 tors flying from a permanent location should establish a
13 mutually agreed upon operating procedure with the air-
14 port operator and the airport air traffic control tower
15 (when an air traffic facility is located at the airport)).

16 “(c) COMMERCIAL OPERATION FOR INSTRUCTIONAL
17 OR EDUCATIONAL PURPOSES.—A flight of an unmanned
18 aircraft shall be treated as a flight of a model aircraft
19 for purposes of subsection (a) (regardless of any com-
20 pensation, reimbursement, or other consideration ex-
21 changed or incidental economic benefit gained in the
22 course of planning, operating, or supervising the flight),
23 if the flight is—

24 “(1) conducted for instructional or educational
25 purposes; and

1 “(2) operated or supervised by a member of a
2 community-based organization recognized pursuant
3 to subsection (e).

4 “(d) STATUTORY CONSTRUCTION.—Nothing in this
5 section may be construed to limit the authority of the Ad-
6 ministratoor to pursue enforcement action against persons
7 operating model aircraft who endanger the safety of the
8 national airspace system.

9 “(e) COMMUNITY-BASED ORGANIZATION DEFINED.—
10 In this section, the term ‘community-based organization’
11 means a nationwide membership-based associatiomm entity
12 that—

13 “(1) is described in section 501(c)(3) of the In-
14 ternal Revenue Code of 1986;

15 “(2) is exempt from tax under section 501(a) of
16 the Internal Revenue Code of 1986;

17 “(3) the mission of which is demonstrably the
18 furtherance of model aviation;

19 “(4) provides a comprehensive set of safety
20 guidelines for all aspects of model aviation address-
21 ing the assembly and operation of model aircraft and
22 that emphasize safe aeromodeling operations within
23 the national airspace system and the protection and
24 safety of individuals and property on the ground,
25 and may provide a comprehensive set of safety rules

1 and programming for the operation of unmanned
2 aircraft that have the advanced flight capabilities en-
3 abling active, sustained, and controlled navigation of
4 the aircraft beyond visual line of sight of the oper-
5 ator;;

6 “(5) provides programming and support for any
7 local charter organizations, affiliates, or clubs; and

8 “(6) provides assistance and support in the de-
9 velopment and operation of locally designated model
10 aircraft flying sites.

11 “(f) RECOGNITION OF COMMUNITY-BASED ORGANI-
12 ZATIONS.—In collaboration with aeromodelling stake-
13 holders, the Administrator shall publish an advisory cir-
14 cular within 180 days of enactment that identifies the cri-
15 teria and process required for recognition of nationwide
16 community-based organizations. This recognition shall be
17 in the form of a memorandum of agreement between the
18 FAA and each community-based organization and does
19 not require regulatory action to implement.

20 “(g) EFFECTIVE DATE.—Except for rules to imple-
21 ment remote identification for unmanned aircraft that by
22 design provide advanced flight capabilities enabling active,
23 sustained, and controlled navigation of the aircraft beyond
24 the visual line of sight of the operator and for rules re-
25 garding the registration of certain model aircraft pursuant

1 to section 44103, this section shall become effective when
2 the rule, referred to in section 532 of the FAA Reauthor-
3 ization Act of 2018, regarding revisions to part 107 of
4 title 14, Code of Federal Regulations, becomes final.”.

Page 114, strike lines 8 and 9 and insert the fol-
lowing:

5 “(8) not flown beyond the visual line of sight of
6 the operator or person co-located with the operator;
7 and

At the end of title III, insert the following:

8 **SEC. 3 ____ . RECREATIONAL UAS.**

9 (a) **IN GENERAL** .—Not later than 120 days after
10 the date of enactment of this Act, the Administrator of
11 the Federal Aviation Administration shall issue rules and
12 regulations relating to small UAS flown for recreational
13 or educational use, and that are not operated within all
14 of the criteria outlined in the special rule for model air-
15 craft in section 45505 of title 49, United States Code, or
16 the requirements of part 107 of title 14, Code of Federal
17 Regulations.

18 (b) **REGULATORY AUTHORITY**.—When issuing the
19 rules and regulation pursuant to this section, the Adminis-
20 trator shall—

1 (1) require the completion of an online or elec-
2 tronic educational tutorial that is focused on knowl-
3 edge of the primary rules necessary for the safe op-
4 eration of such UAS and whose completion time is
5 of reasonable length and limited duration;

6 (2) include provisions that enable the operation
7 of such UAS by individuals under the age of 16
8 without a certificated pilot;

9 (3) require UAS operators within Class B, C, D
10 and E airspace to obtain authorization, as the Ad-
11 ministrators may determine to be necessary within
12 that airspace, but only after a near- instantaneous
13 automated airspace authorization capability is avail-
14 able for the airspace in which the operator wants o
15 operate; and

16 (4) include provisions that provide specific oper-
17 ational rules for UAS operating in close proximity to
18 airports in class G airspace.

19 (c) MAINTAINING BROAD ACCESS TO UAS TECH-
20 NOLOGY.—When issuing rules or regulations for the oper-
21 ation of UAS under this section, the Administrator shall
22 not—

23 (1) require the pilot or operator of the UAS to
24 obtain or hold an airman certificate;

1 (2) require a practical flight examination, med-
2 ical examination, or the completion of a flight train-
3 ing program;

4 (3) limit such UAS operations to pre-designated
5 fixed locations or uncontrolled airspace; or

6 (4) require airworthiness certification of any
7 UAS operated pursuant to this section.

8 (d) COLLABORATION.—The Administrator shall carry
9 out this section in collaboration with industry and commu-
10 nity-based organizations.

