

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

At the end of title III, add the following:

1 **SEC. 3** **SPECIAL RULES FOR MODEL AIRCRAFT.**

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

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

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

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

18 (B) the model aircraft operator is a cur-
19 rent member of a community-based organiza-

1 tion and whose aircraft is operated in accord-
2 ance with the organization's safety rules;

3 (C) the aircraft is limited to not more than
4 55 pounds unless otherwise certified through a
5 design, construction, inspection, flight test, and
6 operational safety program administered by a
7 community-based organization;

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

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

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

1 ating procedure with the airport operator and
2 the airport air traffic control tower (when an
3 air traffic facility is located at the airport)).

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

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

22 (1) conducted for instructional or educational
23 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 ORGANIZA-
12 TIONS.—In collaboration with aeromodelling stakeholders,
13 the Administrator shall publish an advisory circular within
14 180 days of enactment that identifies the criteria and
15 process required for recognition of nationwide community-
16 based organizations. This recognition shall be in the form
17 of a memorandum of agreement between the FAA and
18 each community-based organization and does not require
19 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.

5 **SEC. 3___ . RECREATIONAL UAS.**

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

15 (b) **REGULATORY AUTHORITY**.—When issuing the
16 rules and regulation pursuant to this section, the Adminis-
17 trator shall—

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

23 (2) include provisions that enable the operation
24 of such UAS by individuals under the age of 16
25 without a certificated pilot;

1 (3) require UAS operators within Class B, C, D
2 and E airspace to obtain authorization, as the Ad-
3 ministrators may determine to be necessary within
4 that airspace, but only after a near- instantaneous
5 automated airspace authorization capability is avail-
6 able for the airspace in which the operator wants o
7 operate; and

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

11 (c) MAINTAINING BROAD ACCESS TO UAS TECH-
12 NOLOGY.—When issuing rules or regulations for the oper-
13 ation of UAS under this section, the Administrator shall
14 not—

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

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

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

22 (4) require airworthiness certification of any
23 UAS operated pursuant to this section.

1 (d) COLLABORATION.—The Administrator shall carry
2 out this section in collaboration with industry and commu-
3 nity-based organizations.

