A Better Final Rule for Remote Identification of UAS

AMA supports the safe and secure operations of all UAS-commercial and recreational- in the National Airspace System (NAS). For over 80 years, AMA members have been safely operating in the NAS – a fact repeatedly and publicly acknowledged by the FAA. The FAA failed to identify any existing safety or security issues with the operations of traditional model aircraft in its proposed remote identification regulatory regime. The FAA also did not provide any specific data to justify its regulatory proposals for model aircraft. The FAA not only grossly underestimated the economic cost of complying with proposed regulations on the broader modeling community but also failed to quantify the benefits to imposing its proposed regulatory structure.

Overview – Recommendations for Final Rule

The final rule for remote identification must be flexible and recognize the significant technological distinctions of UAS; accommodate the needs of the model aviation community; and not impose significant costs on the modeling community. A final rule that imposes a one-sized fits all approach to UAS regulation would run counter to long-standing principles guiding both manned and unmanned aviation regulations.

FAA policy has long distinguished the technological differences between model aircraft and advanced drones, most recently in the Remote ID Tracking Aviation Rulemaking Committee (ARC) Report dated September 30, 2017. Traditional model aircraft require continuous input from the pilot and must be flown within visual line of sight. Advanced drones, on the other hand, have the capability of sustained and controlled navigation beyond visual line of sight, and therefore may need additional remote identification requirements. Final remote ID regulations must continue to recognize this distinction.

UAS regulations that fail to make this distinction would unnecessarily restrict existing safe model aircraft operations and impose burdensome costs on members of the modeling community, businesses that support the hobby, educational institutions, JROTC operations, and divert critical government resources from addressing higher risk operations.

Specific Policy Issues and Recommended Actions

- **FAA-recognized identification areas (FRIA) must be a permanent option to comply with remote ID.**

While the proposal includes an option to comply with remote ID by flying at FAA-recognized identification areas, the rule unnecessarily limits the number of identification areas and prohibits the establishment of new areas after the initial 12-month period. In fact, the rule is designed to phase out these identification areas over time, rather than treat them as a viable long-term option for complying with remote ID and promoting model aircraft safety. Many in the traditional model aviation community will not be able to comply with Standard or Limited Remote ID due to the equipment and other cost requirements, and therefore operating at identification areas will be their only method of remote ID compliance.

If the FAA does not make identification areas a long-term compliance option, they will greatly reduce the size of the safe model aviation hobby that has never caused an accident to a manned aircraft. There is no safety or security justification explained anywhere in the NPRM for eliminating the FRIA means of compliance with the regulation. It is important to note that the flying site approach was supported by both the FAA Aviation Rulemaking Committee on RID and in the ASTM standard for RID F3411 – 19 "Standard Specification for Remote ID and Tracking" dated Dec. 1, 2019.

The final rule should:

- Accept applications from Community Based Organizations to establish FAA-recognized identification areas on an ongoing basis and eliminate the 12-month restriction on new applications.
- Accept applications to renew FAA-recognized identification areas at any time, regardless of how much time has passed since expiration.
- Extend the time period FAA-recognized identification areas would be in effect to 10 years, limiting the renewal burden on the FAA and hobbyists.

- **Registration costs must be addressed and kept to a minimum.**

If the proposal to register UAS individually goes into effect as is, AMA's 180,000 members would be forced to register about 1.62 million aircraft at a cost of $8.1 million, assuming the $5 per aircraft registration fee does not increase over time. This is a substantial investment of time and resources for the model aviation community.

The final rule should:

- Keep the registration process status quo by removing the requirement to register individual UAS if the operator is flying recreationally and meeting the statutory requirements of PL 115-254 Section 349.

- **Recreational UAS operators must be able to fly in areas where there is no internet connection.**

This proposed rule requires UAS to transmit information via an internet connection for Limited Remote ID, and requests internet connectivity for Standard Remote ID compliance. The majority of the traditional model aviation community has been flying safely for decades in rural areas where there is little or no cellular connectivity. Model aircraft are typically not flown close to residential areas per AMA's safety programming to operate away from people and property. In fact, new requirements and limitations in controlled airspace are pushing our community into these rural areas. Placing the higher burden of Standard Remote ID in a less populated area does not align with the associated risk. Although the NPRM provides an option to comply with remote ID by flying at FRIA, Limited Remote ID-compliant model aircraft would not be capable of operating if the FRIA was outside of cellular coverage and no alternative connection to the internet is available.

A better option, in addition to the FRIA solutions noted above, would be a software-based network solution. The network of UAS Service Suppliers can support remote ID for non-equipped hobbyists. Although a visual line of sight UAS operator would be required to have access to the internet, it would only be when he or she declares the flight. This would allow the UAS operator to declare his or her flight in advance and from a location where internet connection is present.

AMA recognizes that the internet connection requirement is to facilitate creating an accessible database for all operating aircraft, but does not concur that it is required to meet the objective of allowing Law Enforcement Officers (LEOs) to determine the ID and location of the individual operating the aircraft. The location of an individual operating a traditional model aircraft at a flying site is obvious to any observer at the flying site. An app-based approach would alert the LEO that aircraft were operating at the flying site thus making the connection between the aircraft and the pilot.

The final rule should:

- Replace the current Limited Remote ID category with a software-based solution (app or web-based). This would allow a majority of model aircraft to comply with remote ID requirements without additional aircraft equipage, leaving compliance with position transmission standards for only those aircraft designed to be flown beyond visual line of sight. These advanced aircraft could be placed into the Standard Remote ID requirement and transmit a signal for beyond line of sight operations.
- Allow operators to use a software-based solution to mark the location of the operation and the times flying will take place. This app or web-based location identification could be scheduled prior to traveling to the flying location which would eliminate the need for internet service at every flying site.