



## Frequently Asked Questions

December 30, 2015

### **Q: Do I as an AMA member need to register?**

A: Yes. The Interim Final Rule on sUAS registration went into effect when published in the Federal Register on December 21, 2015. Modelers are given a 60-day grace period for their existing model aircraft and must register by February 19, 2016. New models acquired after December 21, 2015, must be registered before they can be flown.

### **Q: Is the rule for registering model aircraft final?**

A: No. Although the Interim Final Rule is in effect, it is not necessarily in its final form. The FAA has established a 30-day public comment period to allow the public to make comment on the merits and aspects of the rule that cause concern. Interested parties have until January 20, 2016, to submit comments and can do so online at <http://1.usa.gov/1Jegj0C>. AMA highly encourages its members to submit comments to the Interim Final Rule and has provided a list of talking points for our members to consider in developing their comments. These talking points can be found on the AMA Government Relations blog <http://amablog.modelaircraft.org/amagov/2015/12/28/guidance-on-submitting-comments-to-the-faas-interim-rule-on-uas-registration/>. After the comment period closes, the FAA will review and evaluate the comments and make adjustments to the Interim Final Rule as deemed necessary and appropriate. The FAA will then publish a Final Rule in the Federal Register that becomes permanent unless changed by future rulemaking. Keep in mind that the FAA has no obligation to make any changes to the rule based upon the public comments; however, it does have to publish a summary of the comments and explain its actions or lack thereof.

### **Q: What is AMA's position on the Rule?**

A: We believe the registration requirement is counter to the provisions provided by Congress in Section 336, of the FAA Modernization and Reform Act of 2012. In the "Special Rule for Model Aircraft" Congress expressly prohibits the FAA from promulgating rules or regulations for model aircraft. We also believe AMA membership already meets the intent of registration. It is unnecessary for members to register again through the FAA when they are already registered with the AMA. Therefore, we suggest AMA members hold on registering with the FAA until advised by the AMA or until the FAA's legal deadline on February 19, while we work with the FAA in developing a streamlined process for making AMA membership compliant with the federal registration requirement. If successful, this will make the registration process seamless and transparent to our members and will have the added benefit of allowing members to continue using their AMA number as their registration number. This will also preclude the requirement to renew federal registration every three years provided AMA membership remains current.

**Q: How is the AMA addressing registration?**

A: We cannot always control what the federal government mandates, but we can continue to advocate for our members and strive to lessen the burden imposed by unnecessary and overbearing regulation. We are working with legal counsel and exploring all of our options. You might recall that the AMA has an existing petition before the US Court of Appeals regarding the 2014 Interpretive Rule in which the FAA presented its interpretation of the “Special Rule for Model Aircraft.” This interpretation is the basis for including model aircraft in the registration process and has been the rationale for several other actions taken by the agency during the past year.

AMA spent months working with members of Congress and the FAA in drafting and establishing the 2012 Special Rule for Model Aircraft. This landmark piece of legislation protects the long-standing hobby of model aviation from burdensome regulation and allows AMA members to continue operating under a community-based set of guidelines as they have for decades. It is a piece of legislation that our members, our parents, and our grandparents have earned throughout the past 100 years and through millions of safe and responsible flights in our nation’s airspace. It is a piece of legislation that must be upheld.

On a parallel track we are advocating for our members directly to the FAA. As mentioned previously, we are working to develop a more immediate solution aimed at streamlining the registration process for our members. Because there are viable solutions being seriously discussed, we feel confident in suggesting our members refrain from registering for a little longer.

**Q: What can I do while the AMA is addressing registration?**

A: You can help by making your voice heard with the FAA. Specifically we are asking all AMA members to submit comments on the FAA’s interim rule concerning registration. The deadline to submit comments is January 15, 2016. More details can be found at <http://amablog.modelaircraft.org/amagov/2015/12/28/guidance-on-submitting-comments-to-the-faas-interim-rule-on-uas-registration>.

**Q: Can I use my AMA number as my registration number?**

A: Possibly. We are advocating to allow members to use their AMA numbers. We believe an AMA membership already meets the intent of registration. It should not be necessary for our members to register again through the FAA when they are already registered with the AMA.

**Q: Do only drones and multirotor pilots need to register?**

A: The Interim Final Rule regarding sUAS registration requires all unmanned aircraft that are part of an unmanned aircraft system be registered. Being part of an unmanned aircraft system means aircraft that are flown using a ground-control system, such as a transmitter—in essence radio controlled model aircraft. This includes pilots who fly fixed-wing RC aircraft and helicopters, not just multirotors or drones. Any pilot flying models weighing between .55 pounds (or 250 grams) and 55 pounds is required to register.

**Q: Do I have to register every aircraft?**

A: No, you only need to register your name, physical address, and email address, but we suggest that AMA members hold off registering until advised by the AMA or the FAA legal deadline.

**Q: When does registration begin?**

A: The FAA registration process began on Monday, December 21, 2015. The FAA requires modelers to register their existing aircraft by February 19, 2016. New models acquired after December 21<sup>st</sup> must be registered before they can be flown.

**Q: How often do I need to register?**

A: The FAA requires registration renewal every three years; however, as mentioned previously, we are working on a streamlined process for our members that will preclude the requirement to renew federal registration provided AMA membership remains current.

**Q: Is Control Line exempt**

A: Control Line models are not controlled by a ground-control station, are not part of an unmanned aircraft system, and as such are not required to be registered.

**Q: Is Free Flight exempt?**

A: Similarly, Free Flight models are not controlled by a ground-control station, are not part of an unmanned aircraft system, and as such are not required to be registered.

**Q: Can I fly above 400 feet?**

A: Yes. As an AMA member you are allowed and expected to continue operating your model aircraft in accordance with the AMA Safety Code and related AMA safety documents as provided by Section 336, the Special Rule for Model Aircraft. Keep in mind that you must not interfere with manned aircraft operations, must remain well clear of manned aircraft at all times, and must see and avoid all other aircraft and obstacles in accordance with AMA's See & Avoid guidelines in Document #540-D. As a general safety principle, model aircraft should not be flown any higher than necessary; however, there are some modeling activities that routinely go above 400 feet and do so safely in accordance with AMA guidelines. There are also times when it is actually safer to be at a slight higher altitude such as when training new pilots and operating larger or faster model aircraft.

**Q: Can I fly my Large Model Aircraft?**

A: Yes. The language from the FAA implies you cannot fly aircraft over 55 pounds; however, under the Special Rule for Model Aircraft, AMA members are allowed to operate model aircraft over 55 pounds, provided they are certified under and operated in accordance with AMA's Large Model Aircraft program.

**Q: Can I fly turbine jets?**

A: Yes, provided you hold a current AMA Turbine Waiver.

**Q: What happens if I don't register by February 19?**

A: The AMA will provide guidance as to how AMA members should register before the February 19 deadline. Per the FAA, failure to register an unmanned aircraft might result in regulatory and criminal sanctions. This could include civil penalties of up to \$27,500 and criminal penalties that include fines of up to \$250,000 and/or imprisonment for up to three years.

**Q: Can I continue to fly while holding on registration?**

A: Yes. Aircraft acquired before December 21, 2015, can continue to fly until the registration deadline on February 19, 2016. Aircraft acquired after December 21, 2015, must be registered before you can operate it outdoors.