

MODEL AVIATOR'S



1936
AMA forms

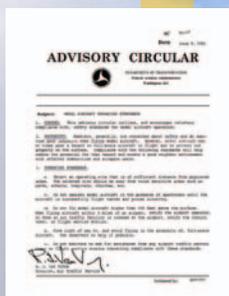


1958

Congress authorizes
FAA

1981

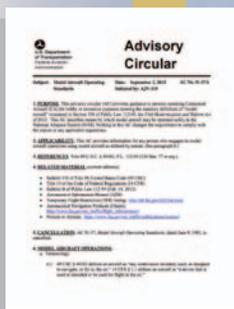
FAA publishes advisory to ask
modelers for "voluntary compliance"



PUBLIC LAW 112-95 - FEB. 14, 2012
SEC. 336. SPECIAL RULE FOR MODEL AIRCRAFT.
(a) IN GENERAL.—Notwithstanding any other provision of law relating to the incorporation of unmanned aircraft systems into Federal Aviation Administration plans and policies, including this subtitle, the Administrator of the **Federal Aviation Administration** may not promulgate any rule or regulation regarding a model aircraft...

2012

The AMA and Congress
protects model aviators
in law



Sept. 2015

FAA re-publishes advisory to
attempt to claim authority
over modelers

Dec. 16, 2015

FAA publishes rule to
require registration of
all model aircraft from
0.55 lbs to 55 lbs

Dec. 17, 2015

AMA advises members
to hold off registering
in FAA database



Dec. 21, 2015

FAA Registration opens



Feb. 19, 2016

FAA Registration Deadline

This Infographic is not legal advice.
Brought to you by Techenstein.com

EXPANDED TEXT

FAA Advisory Circular AC 91-57 - JUNE 9, 1981

Subject: MODEL AIRCRAFT OPERATING STANDARDS

1. PURPOSE. This advisory circular outlines, and encourages voluntary compliance with, safety standards for model aircraft operators.
 2. BACKGROUND. Modelers, generally, are concerned about safety and do exercise good judgement when flying model aircraft. However, model aircraft can at times pose a hazard to full-scale aircraft in flight and to persons and property on the surface. Compliance with the following standards will help reduce the potential for that hazard and create a good neighbor environment with affected communities and airspace users.
- 3.0 OPERATING STANDARDS.
- a. Select an operating site that is of sufficient distance from populated areas. The selected site should be away from noise sensitive areas such as parks, schools, hospitals, churches, etc.
 - b. Do not operate model aircraft in the presence of spectators until the aircraft is successfully flight tested and proven airworthy.
 - c. Do not fly model aircraft higher than 400 feet above the surface. When flying aircraft within 3 miles of an airport, notify the airport operator, or when an air traffic facility is located at the airport, notify the control tower, or flight service station.
 - d. Give right of way to, and avoid flying in the proximity of, full-scale aircraft. Use observers to help if possible.
 - e. Do not hesitate to ask for assistance from any airport traffic control tower or flight service station concerning compliance with these standards.

PUBLIC LAW 112-95 - FEB. 14, 2012

SEC. 336. SPECIAL RULE FOR MODEL AIRCRAFT.

(a) IN GENERAL.—Notwithstanding any other provision of law relating to the incorporation of unmanned aircraft systems into Federal Aviation Administration plans and policies, including this subtitle, the Administrator of the Federal Aviation Administration may not promulgate any rule or regulation regarding a model aircraft, or an aircraft being developed as a model aircraft, if—

- (1) the aircraft is flown strictly for hobby or recreational use;
 - (2) the aircraft is operated in accordance with a community based set of safety guidelines and within the programming of a nationwide community-based organization;
 - (3) the aircraft is limited to not more than 55 pounds unless otherwise certified through a design, construction, inspection, flight test, and operational safety program administered by a community-based organization;
 - (4) the aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft; and
 - (5) when flown within 5 miles of an airport, the operator of the aircraft provides the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport) with prior notice of the operation (model aircraft operators flying from a permanent location within 5 miles of an airport should establish a mutually-agreed upon operating procedure with the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport)).
- (b) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue enforcement action against persons operating model aircraft who endanger the safety of the national airspace system.
- (c) MODEL AIRCRAFT DEFINED.—In this section, the term “model aircraft” means an unmanned aircraft that is—
- (1) capable of sustained flight in the atmosphere;
 - (2) flown within visual line of sight of the person operating the aircraft; and
 - (3) flown for hobby or recreational purposes.

FAA Registration and Marking Requirements for Small Unmanned Aircraft 80 FR 78593 - DEC. 16, 2015

§ 48.1 Applicability.

- (a) This part provides registration and identification requirements for small unmanned aircraft that are part of a small unmanned aircraft system as defined in § 1.1 of this chapter. Show citation box
 - (b) Small unmanned aircraft eligible for registration in the United States must be registered and identified in accordance with either:
 - (1) The registration and identification requirements in this part; or
 - (2) The registration requirements in part 47 and the identification and registration marking requirements in subparts A and C of part 45.
 - (c) Small unmanned aircraft intended to be operated outside of the territorial airspace of the United States, or registered through a trust or voting trust, must be registered in accordance with subparts A and B of part 47 and satisfy the identification and registration marking requirements of subparts A and C of part 45.
- § 48.5 Compliance dates.

- (a) Small unmanned aircraft used exclusively as model aircraft. For small unmanned aircraft operated by the current owner prior to December 21, 2015, compliance with the requirements of this part or part 47 is required no later than February 19, 2016. For all other small unmanned aircraft, compliance with this part is required prior to operation of the small unmanned aircraft.
- (b) Small unmanned aircraft used as other than model aircraft. Small unmanned aircraft owners authorized to conduct operations other than model aircraft operations must register the small unmanned aircraft in accordance with part 47 of this chapter. Beginning March 31, 2016, small unmanned aircraft operated as other than model aircraft may complete aircraft registration in accordance with this part.

AMA GOVERNMENT RELATIONS BLOG (12/17/15)

Hold Off On Registering

On Wednesday, December 16 the AMA Executive Council unanimously approved an action plan to relieve and further protect our members from unnecessary and burdensome regulations. This plan addresses the recently announced interim rule requiring federal registration of pilots who fly model aircraft and unmanned aircraft systems (UAS) weighing between 0.55 and 55 pounds.

AMA has long used a similar registration system with our members, which we pointed out during the task force deliberations and in private conversations with the FAA. As you are aware, AMA's safety program instructs all members to place his or her AMA number or name and address on or within their model aircraft, effectively accomplishing the safety and accountability objectives of the interim rule. AMA has also argued that the new registration rule runs counter to Congress' intent in Section 336 of the FAA Modernization and Reform Act of 2012, otherwise known as the "Special Rule for Model Aircraft."

The Council is considering all legal and political remedies to address this issue. We believe that resolution to the unnecessary federal registration rule for our members rests with AMA's petition before the U.S. Court of Appeals for the District of Columbia. This petition, filed in August 2014, asks the court to review the FAA's interpretation of the "Special Rule for Model Aircraft." The central issue is whether the FAA has the authority to expand the definition of aircraft to include model aircraft; thus, allowing the agency to establish new standards and operating criteria to which model aircraft operators have never been subject to in the past.

In promulgating its interim rule for registration earlier this week, the FAA repeatedly stated that model aircraft are aircraft, despite the fact that litigation is pending on this very question. The Council believes the FAA's reliance on its interpretation of Section 336 for legal authority to compel our members to register warrants the Court's immediate attention to AMA's petition.