

allows remote pilots to fly for recreation. Part 107 grants certain flight permissions and altitudes in excess of those provided under 49 USC 44809, The Exception for Limited Recreational Operations of UAS, in view of the greater vetting required for 14 CFR Part 107 certification. Eligibility requirements to fly under 14 CFR Part 107, are listed in 14 CFR Section 107.61, Eligibility.

NOTE–

The Administrator may issue a certificate of waiver authorizing a deviation from 14 CFR Section 107.31, Visual Line of Sight Aircraft Operation, if the operation can safely be conducted under the terms of a certificate of waiver.

REFERENCE–

14 CFR Part 107, sUAS.

14 CFR Section 107.61, Eligibility.

14 CFR Section 107.31, Visual Line of Sight Aircraft Operation.

b. Operations in Class G airspace. Part 107 remote pilots may fly in Class G airspace up to 400 feet AGL, and within 400 feet of a structure without prior coordination with ATC. Other limitations for Part 107 operators are described in 14 CFR Part 107.51, Operating Limitations for sUAS.

REFERENCE–

14 CFR Section 107.51, Operating Limitations for Small Unmanned Aircraft.

c. Operations in controlled airspace through LAANC. LAANC gives the remote pilot the ability to obtain near real-time airspace authorization within UASFM altitudes and stay notified of airspace restrictions and prohibitions. See paragraph 11–8–7, Resources for UAS Operators, for information on downloading LAANC.

d. Waivers to 14 CFR Part 107:

1. A waiver is an official document issued by the FAA which approves certain operations of UAS outside the limitations of a regulation. These waivers allow drone pilots to deviate from certain rules under 14 CFR Part 107 by demonstrating they can still fly safely using alternative methods or safety mitigations. 14 CFR Part 107 rules which can be waived are listed in 14 CFR Section 107.205, List of Regulations Subject to Waiver. Any subpart of 14 CFR Part 107 rule which is not specifically listed in 14 CFR Section 107.205, such as the §107.36 prohibition on the carriage or transport of HAZMAT, is not subject to waiver, and would require an exemption under 14 CFR Part 11, General Rulemaking Procedures. See paragraph 11–3–2, Exemptions Under 49 USC 44807, Special Authority for Certain Unmanned Systems, for guidance on requesting exemptions.

2. To request a 14 CFR Part 107 waiver, refer to the FAA's Part 107 Waiver website.

NOTE–

The FAA's Part 107 waiver website may be viewed at: https://www.faa.gov/uas/commercial_operators/part_107_waivers/.

REFERENCE–

14 CFR Section 107.205, List of Regulations Subject to Waiver.

14 CFR Part 11, General Rulemaking Procedures.

11–4–3. Airspace Access for Public Aircraft Operations (PAOs)

a. General requirements for PAO status. Governmental entities, as defined by federal law 49 USC 40102(a)(41), Definitions, can fly as a public aircraft operation as long as the flight meets the definition of a governmental function 49 USC 40125, Qualifications for Public Aircraft Status. Public aircraft are aircraft owned and operated by the government of a state, the District of Columbia, or a territory or possession of the United States, or a political subdivision of one of these governments, except as provided in 49 USC 40125(b), Qualifications for Public Aircraft Status. Public aircraft can also be aircraft exclusively leased for at least 90 continuous days by the government of a state, the District of Columbia, or a territory or possession of the United States or a political subdivision of one of these governments, except as provided in 49 USC 40125(b), Qualifications for Public Aircraft Status.

NOTE–

1. The term “government function” refers to one of several activities undertaken by a government, such as national defense, intelligence missions, firefighting, search and rescue, law enforcement (including transportation of prisoners, detainees, and illegal aliens), aeronautical research, or biological or geopolitical resource management.

2. An operation “for the public good” does not necessarily meet the qualifications for a public operation; for example, most volunteer fire departments in the United States will not qualify as PAOs.