Flying Drones Legally in 2024

Keeping up with all the recent changes

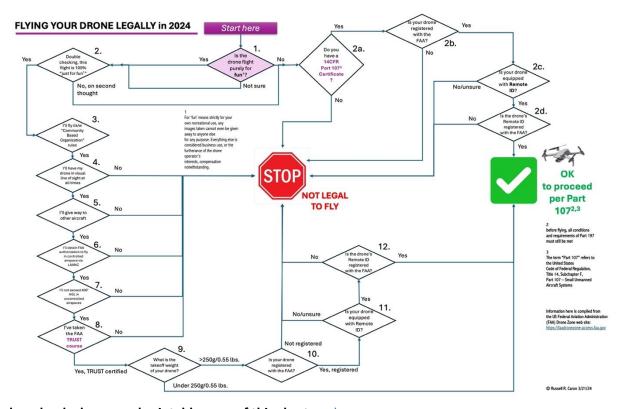
Much has changed over the past few months and years relative to 14CFR Part 107: The U.S. Code of Federal Regulations for Small Unmanned Aircraft Systems (UAS) (aka "drones") since the original release in 2017.

In short, *everyone* flying must have passed either the FAA "TRUST" certificate, which is free and relatively easy to obtain, or the Part 107 certification for Small UAS (which has a one-time cost associated with the certification process).

All UAS flights are subject to Part 107, but flights that are 100% recreational, i.e. 100% 'just for fun', can be exempted from the need for Part 107 certification if all the exemption conditions are met. All other flights fall under the requirement to possess a valid Part 107 certificate. The FAA's view of what defines 'purely for fun' is very narrow, and thus many, if not most, <u>UAS flights are construed as commercially based, even when no money is being exchanged for photos, videos, or information gathered from the flight.</u>

And all drones which have a takeoff weight of 250 grams (0.55 lbs.) or more <u>must be registered with the FAA, and also must transmit Remote ID signals</u>.

This flow chart will step you through all the major points:



To download a larger and printable copy of this chart, go here.

Let's walk through the steps of the chart:

Box 1

You're asked if the flight is 100% for fun. Answering 'yes' means that whatever your flight gains you, which could be photos, videos, knowledge, information, inspection...whatever.... 100% stays with you. You can't even give away any of these aspects of the flight. Even if the pastor of the church next door asks you to fly up and, let's say, inspect the church's roof or steeple, providing that knowledge or photos, even if no money is exchanged, to the pastor constitutes this as a commercial flight, which would require the UAS pilot to have a Part 107 certificate. If you answered no/for Part 107 commercial flying, please skip down to the section marked 'Box 2a'.

Box 2

The question is asked again because so often, there really is an underlying commercial benefit or gain to the flight. We'll continue on assuming this *really is* a 'just for fun' flight.

Box 3

You agree to fly under the rules of an approved "Community Based Organization", of which there are a few. These are, in simple terms, model airplane clubs that have rules they use when flying in certain model "airfields". You will learn more about this when you take the TRUST certificate, more on that in Box 8, and, no, this doesn't mean that you can only fly in model airfields.

Box 4

Here you agree to always keep your drone in *visual line of sight*. This means you must always be able to see where your drone is with the *unaided eye* (other than your eyeglasses).

Box 5

You agree to give way to other aircraft.

Box 6

You'll use a system called *LAANC* via an app on your smartphone (such as <u>Aloft Air Control</u>) to request approval when you are in controlled airspace. How do you know if you're in controlled airspace? Again, the app on your phone, which you must use before flight, will tell you if you don't otherwise know.

Box 7

You'll always keep your drone no higher than 400' AGL (above ground level) when in uncontrolled air space. (In controlled airspace you also will also necessarily abide by this, with certain exceptions you would learn about in Part 107 study).

Box 8

You agree that you have taken the FAA TRUST course and possess a TRUST certificate, (which you need to keep with you at all times).

Box 9

You follow the path of this question based on the takeoff weight of your aircraft being under 250 grams (0.55 lbs.) or over. Only a certain few "mini" drones, with absolutely nothing extra attached to them, actually do weigh 250 grams or less.

If your drone indeed is under the threshold for weight, then, all other conditions required of Part 107, to include cloud ceiling, wind, weather, visibility, etc. being met, you should be good to fly.

If your drone weights over 250g takeoff weight (most do!) then proceed to:

Box 10

Your drone must be registered with the FAA at the <u>FAA Drone Zone</u>. Note: When registering your aircraft, you must select if that aircraft will be used strictly for recreation or for Part 107 commercial use. If you reply that it's strictly for recreation, that aircraft *cannot* later be used for Part 107 flight. So, choose carefully here.

Box 11

Your drone must transmit Remote ID signals. You need to know for sure the answer to this, do not "guess"!

Box 12

Your drone Remote ID serial number must be registered at the FAA Drone Zone.

Answering yes to all these steps means you can now proceed to flying, assuming all other conditions required of Part 107, to include cloud ceiling, wind, weather, etc. are successfully met.

These following steps apply to Part 107 commercial flights.

Box 2a

Do you already have a current FAA Part 107 UAS certificate? If yes, proceed to 2b.

Box 2b

Is your drone registered with the FAA?

Box 2c

Is your drone equipped with Remote ID?

Box 2d

Have you registered the Remote ID serial number with the FAA?

All 'yes' answers mean you *should* be able to continue to a legal Part 107 flight, for commercial purposes, assuming all other Part 107 requirements are met, such as wind, weather, cloud height, external strobe lights for night flight, etc.

Any 'no' response throughout this section means you can't fly legally.

"Assuming all other Part 107 Requirements are met"

This statement brings with it many other factors too complex for this summary, but they include, but are not limited to:

• Your Part 107 certificate being current. The certificate has a 24-month "shelf life". Before that time is up, Part 107 pilots must complete the Part 107 Recurrent Exam. See the FAA Drone Zone for info.

- Your aircraft registration being current. Aircraft must be re-registered every 3 years.
- Your own physical/mental status.
- Appropriate authorizations for the airspace you're in.
- Full understanding of the limitations of flying over people.

For drones 250g/0.55 lbs. or greater, or all drones used for Part 107 service: does your drone transmit Remote ID signals?

Here's the list from the FAA to answer this (important!) question. Note that some drones listed here are not automatically transmitting the Remote ID signal until the aircraft firmware is updated and until the controller software is also updated. You can use the app Drone Scanner on your phone to double check that your drone is indeed functioning correctly with Remote ID.

Drones not on this list/without Remote ID either (1) have to be retired, (2) be flown only in an FAA Recognized Identification Area (FRIA) or (3) have a Remote ID module has to be retrofit.

It's noted that "relaxed enforcement" of Remote ID rules by the FAA expired on March 15, 2024.

Disclaimer

This flowchart and attendant text are not official in any way, but the information used to put this together has been assembled from official FAA and CFR rules in effect as of 3/15/2024.

Learn it all starting at the FAA Drone Zone.

Mentoring

If you're looking for a personal mentor for obtaining your FAA Part 107 certificate, and aerial photography, or photography and business in general, reach out to Russ at hello@wed-pix.com.

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