



UAS Law Alert – FAA Announces Final UAS Registration Recommendations

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FAA Unmanned Aircraft Systems Registration Task Force Releases Final Recommendations and FAA Seeks Renewal of its B4UFLY Smartphone App

Due to an increase in reports of unsafe unmanned aircraft systems (UAS) operations and an anticipated surge in small UAS sales over the 2015 holiday season, the Secretary of Transportation recently announced that the Federal Aviation Administration (FAA) would require registration of all UAS. 80 Fed. Reg. 63,912 (Oct. 22, 2015). The Department of Transportation convened a UAS Registration Task Force comprising aviation and non-aviation stakeholders, and charged it with developing and recommending (1) minimum requirements for UAS that would require registration, (2) a registration process, and (3) methods for proving registration and marking UAS.

On November 23, 2015, the Task Force published its Recommendations and Final Report, summarizing its deliberations and recommending a brief electronic registration process. The Task Force's key recommendations are as follows:

1. **All UAS weighing more than 250 grams (approximately 8.8 ounces) and up to 55 pounds should be subject to the registration requirement.** The Task Force based its recommendation on the probability that a free-falling UAS would lethally injure a person on the ground (at 250 grams, less than one fatality for every 20 million flight hours of a small UAS in a densely-populated urban area). The Task Force did not consider the risk of collision with other aircraft or engine ingestion due to insufficient data and time constraints.
2. **Registration should be accomplished through the web or third-party apps, require only the operator's name and address, and include an educational element.** The Task Force recommended that the owner's e-mail address, telephone number, and UAS serial number be optional so as to encourage maximum compliance, provided that the FAA take all necessary steps to prevent the release of information not required by law. It recommended that there be no fee for registration, and that the registrant be required to receive and acknowledge educational materials akin to the content developed for the Know Before You Fly program before being permitted to register.
3. **UAS should be marked with a universal registration number, unless a serial number was provided during registration.** The Task Force recommended that each registrant be electronically provided with a universal registration number at the conclusion of the above process that they may use to mark all UAS they own. The registration number would be required to be readable and legible upon close visual inspection, but not otherwise subject to other formatting requirements. A registration number need not be displayed if the registrant provided a manufacturer's serial number already permanently affixed to the UAS.

In addition, FAA's smartphone-enabled B4UFLY app provides location-based information on flight restrictions, including the location of airports, based on the users' intended flight location. On November 24, 2015, the FAA published a notice and request for comments on the renewal of its B4UFLY information collection efforts. 80 Fed. Reg. 73,265 (Nov. 24, 2015). Written comments on the FAA's information collection are due by January 25, 2016.