



The FAA just raised the unmanned aircraft blanket ceiling authorization from 200 to 400 feet. Until the FAA issues a final rule for unmanned aircraft systems operations (UAS), an unmanned aircraft can only be operated commercially by obtaining a Section 333 exemption. We'll help you navigate this exciting new area of business and aviation.

Regulatory Authority



In February 2012, Congress passed Public Law 112-95, the FAA Modernization and Reform Act (FMRA). The FMRA directed the FAA to develop regulations to integrate UAS into the national air system. Three years later, the FAA published a notice of proposed rulemaking for Small UAS (weighing less than 55lbs). The FAA is currently sorting through the 4,600 comments it's received, and a final rule is expected to be issued this summer.

Using UAS for Commercial Operations



The FMRA affirmed the FAA's current policy that "...only hobby or recreational drone use is allowed, unless the operator obtains an exemption." A Section 333 exemption allows UAS to be operated for compensation or for hire. "Compensation or hire includes providing a service for a charge (such as selling video taken from UAS) or providing a service in furtherance of the UAS operator's

business (for example, an insurance company using UAS to inspect a roof for hail damage).”



Obtaining a Section 333 Exemption

“The Section 333 exemption application must explain why the proposed UAS operation will not adversely affect personal safety, and how the request will benefit the public. The operator must identify the UAS it will operate. At minimum, the proposed operator must hold a sport pilot’s license. The FAA’s turnaround time for approving an application is approximately 4-5 months.”

[Kali M. Hague](#) is an attorney with the law firm of Jackson & Wade, L.L.C. She counsels clients on Commercial Operations, Section 333 exemptions as well as operation of corporate jets operated under Part 91 and Part 135 of the Federal Aviation Regulations. To learn more about our practice and aviation services, visit www.jetlaw.com.