

## Side-by-Side of APLU-AAU Comment Letter and Final FAA Part 107 Rule on sUAS

|   | APLU-AAU Comments   | Final Rule Part 107  |
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| <b>Beyond Visual Line of Sight (BVLOS) Operations</b> | <ul style="list-style-type: none"> <li>• The final rule should allow lower-risk sUAS operations to be carried out beyond visual line of sight (BVLOS) and establish standards for such operations.</li> <li>• The ban on BVLOS flight unnecessarily handicaps a range of beneficial UAS operations. There are numerous safeguards, including location restrictions, technological requirements and the implementation of performance based standards that can be implemented to mitigate any risks associated with allowing BVLOS operations.</li> </ul>                            | <ul style="list-style-type: none"> <li>• Does not allow for BVLOS operations.</li> <li>• The sUAS must remain within Visual Line of Sight (VLOS) of the remote pilot in command and person manipulating the flight control of the sUAS throughout the entire flight of the sUAS.</li> <li>• Alternatively, the sUAS must remain within VLOS of the visual observer (if used).</li> <li>• The area of operation can be extended by the remote pilot in command handing off control mid-flight to another remote pilot in command in another area.</li> </ul>  |
|   | <ul style="list-style-type: none"> <li>• The UAS Operators Certificate should be expanded to include BVLOS rating.</li> </ul>   | <ul style="list-style-type: none"> <li>• The <a href="#">Remote Pilot Certificate</a> does not include a BVLOS rating.</li> </ul>  |
|   | <ul style="list-style-type: none"> <li>• Addressing BLVOS in the final rule will facilitate long-term integration. The final rule should not relegate BVLOS operations to a future exemption subject to exhaustive and time consuming individualized review.</li> <li>• Conversely, if the Final Rule addresses and permits BVLOS operations under limited circumstances, this will begin the process of integrating limited BVLOS flights into the National Airspace now, rather than waiting to commence a separate, full-scale notice and comment rulemaking process.</li> </ul> | <ul style="list-style-type: none"> <li>• Operators can apply for a waiver from the FAA to conduct BVLOS operations.</li> <li>• Part 107 includes a <a href="#">waiver process</a> that will allow more advanced operations beyond the scope of Part 107 in circumstances where the proposed operation can safely be conducted under the terms of a certificate of waiver</li> <li>• The FAA will evaluate waiver requests on a case-by-case basis, similar to the Section 333 exemption process.</li> <li>• The FAA will attempt to complete review and adjudication of waivers within 90 days.</li> </ul> |
| <b>Use of Visual Observers</b>                        | <ul style="list-style-type: none"> <li>• The optional use of a visual observer is a positive provision and should be included in the final rule. However, the system proposed in the NPRM would require operators to maintain the capability to fly VLOS at all times. Also unwarranted is the FAA’s rejection of the concept of using multiple visual observers to “daisy-chain” the sUAS as part of BVLOS operations.</li> </ul>  | <ul style="list-style-type: none"> <li>• Use of visual observer is optional.</li> </ul>  |
|   | <ul style="list-style-type: none"> <li>• A minimum distance requirement for visual observers may not be safe. The rule should allow visual observers to be optional, allowing operators the flexibility to determine if they are necessary.</li> </ul>  | <ul style="list-style-type: none"> <li>• No minimum distance requirement for visual observer.</li> <li>• Use of visual observer is optional.</li> </ul>  |
| <b>Micro UAS</b>                                      | <ul style="list-style-type: none"> <li>• The NPRM proposal for micro UAS operations is too conservative and restrictive. The creation of a micro UAS class with its own applicable standards would be appropriate and desirable.</li> </ul>   | <ul style="list-style-type: none"> <li>• The FAA determined a separate regulatory framework should be developed for the operations of micro UAS. <a href="#">The FAA plans to issue a micro-UAS NPRM in December 2016.</a></li> </ul>  |

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| <b>Numerical Limitation on the Visual Line of Sight Boundary</b> | <ul style="list-style-type: none"><li>• There should not be a hard limit on the horizontal operational boundary. The decision should be left to the operator to maintain a safe distance.</li></ul> | <ul style="list-style-type: none"><li>• The final rule does not include a limit on the numerical limitation on the visual line of sight boundary.</li></ul>   |
| <b>Student Operator Certificate</b>                              | <ul style="list-style-type: none"><li>• AAU and APLU propose the creation of a Student UAS Operators Certificate.</li></ul>   | <ul style="list-style-type: none"><li>• Prior to the release of the Part 107 rule, the FAA issued a <a href="#">legal memo</a> outlining how students can operate sUAS as part of their coursework.</li></ul> |