

LEGAL UPDATES

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Industry  
Technology

## Agribusiness Companies and Farmers Should Consider Submitting Comments to the FAA's Proposed Rules on Use of Drones

As widely reported and as noted in our February 16th blog post, the Federal Aviation Administration (FAA) recently issued its long-awaited proposed rules on operation of Unmanned Aircraft Systems (UAS), also known as “drones,” in the national airspace.

The proposed rules are open for a public comment for a period of 60 days, which closes on April 24, 2015. In the past, the FAA has considered public comments and incorporated suggestions into its revisions.

Husch Blackwell's interdisciplinary team of UAS lawyers are gathering suggested comments from clients and others interested in providing comments to the FAA on the proposed rules. The firm anticipates submitting general or industry-focused comments, as well as comments specifically tailored to your company's views. Parties with aligned interests may wish to make a joint submission, which we can also facilitate.

Potential areas that may be of particular interest to farmers, precision agriculture companies and others in agribusiness industries include proposed rules related to the following:

UAS and attachments must weigh less than 55 lbs.

Line-of-sight operation only (which limits the viability of use of drones in the field)

Live video feed not sufficient

Cannot pass off operation to chain of operators each in line of sight

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Flight path cannot cross directly over any non-covered persons (which means farmhands cannot be in the flight path and which may make navigation difficult for non-contiguous farms since a neighbor's farmhands would have to be avoided)

Express waiver and consent not sufficient

UAS must be operated at or below 500 feet

Operators must be at least 17 years old and pass an FAA-administered aeronautical knowledge test

UAS cannot have payloads or engage in towing (*i.e.*, no fertilizers or herbicides)

MicroUAS category (4.4 pounds or less) is contemplated for future proposed rules and would potentially allow flight directly over non-covered persons

### **Contact Us**

Feel free to contact any member of Husch Blackwell's UAS team to explore the options available to have your voice heard on this interesting topic and emerging industry.