

# How AMA Districts Influence UAS/model-aircraft Government Regulations

by Andy Argenio

On a federal level AMA has been successful in influencing government regulations as a result of AMA being perceived as experts in UAS/model-aircraft operations. However, we have learned that success at influencing UAS regulations on a **state or municipal level doesn't necessarily come from being an expert or perceived as one.**

For example, the Newton, Massachusetts UAS/drone ordinance should never have passed as written especially, with all the expert legal advice that AMA district officers and members provided the city council members to avoid conflicts with federal law.

It passed because of the influence of leading city constituents who were dead against drones as far back as 2013. At that time, I received a copy of a 15-page document submitted to the council by a well-known resident advising them to pass laws preventing the operation of all drones within the city limits because it was just a matter of time before a drone incident would injure or kill someone.

*In many states and local communities, lawmakers are almost exclusively motivated as to how they vote by special interest groups that get them into public office and keep them there. They also try to avoid giving potential election challengers grounds on which to attack them politically.*

We manage to have a level of influence on lawmaker decisions when we have enough AMA members, who are constituents of the state or municipalities, testifying at hearings to include either a federal preemption clause in an ordinance/bill and/or sending it back to committee for more study. In the Newton case, we prevented passage of their ordinance for nearly 3 years and then lost because of the influence of the city solicitor who we accused of not understanding federal preemptive authority over UAS operations in the NAS and crafting laws that were in direct conflict with federal UAS law. **Doctor Singer MD, PhD, challenged Newton's regulations in 2017 and the court ruled in Singer's favor.**

How AMA Districts Influencing Governmental Regulations:

1. **AMA's district advocacy strategy to influence or lobby opposition to** legislation directed at UAS/drones has been very successful in protecting AMA members flying in accordance with FAR Part 101, Section 336. Both *direct*

*lobbying* initiatives, involving communication with legislators or legislative staff; and *grassroot efforts*, to influence community leaders, special interest groups and schools to support AMA's safe and responsible model aviation flying, have prevented unnecessary, overbearing and onerous legislation from becoming law.

2. **AMA's district advocacy** efforts at state and municipal levels of government are often addressed by AMA district officers, clubs and members who attend hearings, communicate directly with legislators, voice opposition and make recommendations that amend or prevent UAS legislation that would be **problematic for AMA members. AMA's Government Relation Team provides** guidance and assistance to help districts influence the lawmakers and outcomes at public hearings.

3. **AMA's Government Relations Team and District Officers employ the** latest technologies and data services to identify federal, state and local UAS/drone legislation and the legislators involved with the bills or ordinances in order to track and monitor the status of legislation. This allows AMA members to respond with recommendations or oppositions to legislation in letters to legislators, at meetings and/or at hearings in a timely manner.

4. Active AMA districts have established District Advocacy Teams responsible for the following:

- a) Identifying and monitoring UAS/Drone legislation and the legislators involved;
- b) Draft letters of opposition with the rationale for the opposition;
- c) Locate and contact AMA members who are constituents of the sUAS/Drone lawmakers and who are willing to send letters to the lawmakers and testify at hearings on the proposed legislation;
- d) Select AMA member constituents to attend the public hearings and state their opposition to the proposed legislation.

5. AMA district officers participate in numerous AMA advocacy and community outreach initiatives as follows:

- a) **Sharing AMA's expertise in collaborative efforts with the FAA Safety Team (FAAST)** at Drone Clinics to educate the public on the safe operation of UAS/Drones;
- b) As Guest Speakers on AMA UAS/Drone Regulations & Operations at UAS/Drone Conferences;
- c) As presenters on AMA Safety Programming to State Drone Study Commissions;
- d) As guest speakers on UAS operations and technology with various education and business groups;

- e) As judges and speakers at robotic and drone competitions;
- f) As speakers on UAS/Drone Safety at State and Municipal UAS Legislative meetings and hearings.

6. AMA district officers, clubs, and members participate in many outreach initiatives at schools, public airshows, and with organization like the Boys & Girls Scouts, EAA, and CAP to introduce the hobby of R/C aeromodelling and its contribution to STEM education and future career paths as well as the benefits and value of AMA membership.

7. AMA district officers work at establishing friendly and cooperative relationships with local politicians and legislators by inviting them to attend AMA public flying events where large audiences are expected and giving them an opportunity to speak. It's also not uncommon for AMA officers to support legislative candidates for election in their communities and offer to help legislators with creating reasonable UAS/Drone legislation and getting it passed.

8. AMA district officers provide local government agencies and many other **concerned individuals and organizations with knowledge of AMA's exemplary Safety Record**. We explain that AMA creates operational procedures and guidelines for safe flying of model aircraft through a systems approach to risk assessment and mitigation that considers the hazard to people and property as well as the severity and the probability of an incident occurring. Methods are then **considered and tested to mitigate the risk to an acceptable level. If it can't be done, the flying activity or technology does not become part of AMA's** safety programming or permitted flight operations.

9. AMA district officers work with the local FAA safety inspectors, law enforcement, public agencies, airport authorities and AOPA and ALPA members etc. to make them aware of the distinct differences between how AMA remote pilots fly their UAS/model-aircraft in the NAS in accordance with Federal Aviation Regulations (FAR) 14 USC Part 101, Section 336, from other recreational remote pilots who fly their UAS in accordance with FAR Part 107.

AMA Remote Pilots (FAR Part 101)

- **May fly at** altitudes above 400 ft. AGL
- **Fly at speeds exceeding 100 mph**
- **Fly aircraft weighing over 55 lbs.**
- **Fly at night**
- **Fly within** 5 miles of airports with notification to ATC or airport authority

FAA Remote Pilots (FAR Part 107)

- Limited to 400 ft. AGL
- Limited to 100 mph
- Limited to 55 lbs.
- Limited to daylight
- Requires an FAA waiver application and approval