



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Greensboro Flight Standards District Office, EA39  
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June 24, 2014

**Certified Mail-Return Receipt Requested**

Dear Mr.

**File Number:**

This office has information that indicates you were operating an unmanned aerial system Quad Copter (UAS) on Saturday June 21, 2014 at the

Additionally, your Unmanned Aircraft System (UAS) operation, described on your website has been brought to the attention of our office. The web site provides information on your operation that includes flying uncertified UAS as an aerial photographer. It appears you solicit and provide video and photography services by flying at low altitudes over congested areas without a certified pilot or proper authorization which is contrary to the Federal Aviation Regulations.

The purpose of this letter is to make you aware of various rules, regulations and responsibilities regarding your operation of a UAS.

In accordance with 49 U.S.C. § 40103(b)(2), the Federal Aviation Administration (FAA) has been given authority to prescribe regulations to protect individuals and property on the ground and to prevent collisions between aircraft, between aircraft and land or water vehicles, and between aircraft and airborne objects.

Additionally, 49 U.S.C. §40102(a) (6) defines an "aircraft" as "any contrivance invented, used, or designed to navigate or fly in the air." The FAA's regulations (14 C.F.R. § 1.1.) similarly define an "aircraft" as "a device that is used or intended to be used for flight in the air". Because an unmanned aircraft is a contrivance/device that is invented, used, and designed to fly in the air, it meets the definition of "aircraft". Subsequently, the FAA has promulgated regulations that apply to the operation of all aircraft, whether manned or unmanned, and irrespective of the altitude at which the aircraft is operating. For example, 14 C.F.R. § 91.13 prohibits any person from operating an aircraft in a careless or reckless manner so as to endanger the life or property of another.

Currently the FAA only authorizes UAS operations by **three** means:

1. **Certificate of Authorization (COA).** This authorization allows public entities, i.e., Federal, state, and municipal government related organizations, (law enforcement, fire departments, universities, etc.) to operate their aircraft. Prior to issuing the COA, the FAA reviews the operation to ensure it is in the public interest, is safe, and does not significantly impact the safety of other air traffic or persons on the ground.
2. **Experimental Certification.** For civil operators, the FAA can issue an experimental aircraft certificate in accordance with the Code of Federal Regulations (CFR) Part 21. This allows for experimentation and development of the aircraft, market development, and training of prospective clients.
3. **Model Aircraft.** These operations are comprised of those individuals who operate UAS only for recreational enjoyment in accordance with Advisory Circular 91-57. This generally applies to visual line of sight operations, operations at no more than 400 feet above ground level, and away from airports, persons, and buildings. The FAA Modernization and Reform Act of 2012 (Public Law 112-95), Section 336 defines when a UAS is being operated as a model aircraft.

Finally, any and all UAS operations for commercial or business purposes are subject to FAA regulation and **for the most part are prohibited**. At a minimum, any such flights require a certified aircraft, a certificated pilot, and specific FAA authorization. Under no circumstances may UAS operations for commercial or business purposes be operated under the special rule for model aircraft found in section 336 of Public Law 112-95.

More information regarding UAS operations use can be found at the FAA Unmanned Aircraft Program Office's website:

<http://www.faa.gov/about/initiatives/uas/>

These limited restrictions for UAS operations are necessary, at this time, since the technical pace of UAS development, and the proliferation of their potential use has grown exponentially. This has caused the FAA to reiterate our regulatory authority to ensure the public safety.

It appears, based on our investigation, you operated a UAS without proper authorization. These types of operations are contrary to the Federal Aviation Regulations. We must advise you to cease these operations until such time that you make proper application and receive the appropriate FAA authorization.

Should you require additional information or wish to discuss this situation, please contact me at (336) 369- 3909.

In conclusion, now that we have made you aware of these regulations, we appreciate your cooperation in this matter and expect your full compliance with the regulations in the future.

Sincerely,



William R. Newby  
Frontline Manager  
Greensboro Flight Standards District Office EA39