

CLIENT ALERT

Off to the Races: The FAA Initiates Informal Drone Rulemaking

February 14, 2019

Yesterday, the Federal Aviation Administration (FAA) posted in the Federal Register the [Notice of Proposed Rulemaking for Operations of Small Unmanned Aircraft Systems over People](#) and the [Advanced Notice of Proposed Rulemaking for Safe and Secure Operations of Small Unmanned Aircraft Systems](#). The substance and implications of the draft rules were explored in previous client alerts and can be accessed [here](#) and [here](#). Comments to both notices are due April 15, 2019.

The FAA also issued an [interim final rule](#) requiring small drone owners to display their FAA-issued registration number on the exterior of the aircraft. This is a change from the current rule, which only requires that the number be readily accessible and readable at a close distance. Under the new rule, owners will no longer have the flexibility to place the number in an enclosed compartment on the device, a practice which “presents an imminent risk of harm to first responders,” according to the rule. The rule is effective February 25, 2019, without the usual notice and comment period. This immediate implementation further underscores the Government’s concern over the unique security risks posed by small drones. Interested parties should submit comments by March 15, 2019, as the rule may be amended based on comments received.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

Mary-Caitlin Ray

Counsel – Washington, D.C.

Phone: +1.202.688.3524

Email: mray@crowell.com

Scott L. Winkelman

Partner – Washington, D.C.

Phone: +1.202.624.2972

Email: swinkelman@crowell.com

Cheryl A. Falvey

Partner – Washington, D.C.

Phone: +1.202.624.2675

Email: cfalvey@crowell.com