

Advocacy Recommends That FAA Consider Small Business Concerns About Its Proposed Small Unmanned Aircraft Systems Rule

On April 24, 2015, the U.S. Small Business Administration's (SBA) Office of Advocacy (Advocacy) submitted comments to the Federal Aviation Administration (FAA) on FAA's *Proposed Operation and Certification of Small Unmanned Aircraft Systems (Small UAS) Rule*. [80 Fed. Reg. 9544 (February 23, 2015)]. FAA's proposed rule would amend FAA's regulations to allow the operation of small UAS (less than 55 lbs.) for non-hobby and non-recreation uses in the National Airspace System (NAS). The proposed rule would specifically address the operation of small UAS, the testing and certification of operators, UAS registration, and the display of registration markings. While the proposed rule would reduce barriers to small UAS use for commercial, private, and research purposes, it also includes significant operational restrictions that are a concern to small business.

- In order to obtain input about the proposed rule from small businesses and their representatives, Advocacy hosted a small business roundtable on FAA's proposed rule on April 9, 2015. Representatives from FAA and the Department of Transportation also attended the roundtable to provide an overview of the proposed rule and answer questions about it.
- Small businesses and their representatives stated that they would like FAA to issue a final rule as quickly as possible in order to allow some commercial UAS operations that are currently prohibited. They also stated that FAA's approach should be "risk-based" and "technology neutral" so as not to lock-in any particular technology.
- Advocacy recommends that FAA address three particular issues: 1) FAA should articulate and quantify the framework or parameters for assessing risk going forward; 2) FAA should reassess the alternatives to the proposed rule to determine whether some of the operational restrictions can be relaxed without a significant increase in risk; and 3) FAA should provide timely mechanisms for approvals, waivers, or exemptions from the final rule where an operator can demonstrate adequate safety.

A complete copy of Advocacy's letter to FAA is available at: <http://www.sba.gov/advocacy/816>. For more information please contact Bruce Lundegren, Assistant Chief Counsel, at (202) 205-6144 or bruce.lundegren@sba.gov.