

Unmanned Systems Alert

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FAA Punts On Anticipated UAS Remote ID NPRM and Rulemaking to Protect Critical Infrastructure

September 16, 2019

Key Points:

- The Federal Aviation Administration (FAA) has delayed the anticipated release of two Notices of Proposed Rulemaking (NPRM), which are vital to the safe and expeditious integration of unmanned aircraft systems (UAS).
- The NPRM for Remote Identification and Tracking has been pushed until December 20, 2019, and the NPRM required under Section 2209 of the 2016 FAA Extension, Safety and Security Act, which would protect certain sensitive fixed site locations from UAS operations, has been delayed until September 2020.

An update of the U.S. Department of Transportation's Report on Significant Rulemakings shows that the FAA has delayed the anticipated release of the Notice of Proposed Rulemaking (NPRM) for Remote Identification and Tracking until December 20. Release of the NPRM was originally expected in July and was pushed to September 20 before the latest delay. The news has dealt a blow to the unmanned aircraft systems (UAS) industry, which has widely expressed frustration over the sluggish timeline. Comments are expected on the NPRM in February 2020.

Remote ID is seen by both government and industry as foundational regulation to enable many of the more advanced and profitable use cases and technologies for UAS, including UAS Traffic Management (UTM). It has been declared that other key rules, such as flight over people or beyond visual line-of-sight operations, will have to be rolled out either simultaneously or subsequent to Remote ID in order to prevent strong opposition from federal security agencies.

The original Aviation Rulemaking Committee (ARC) for Remote ID and Tracking was chartered in June 2017 and delivered its **final report** on September 30, 2017. Jennifer Richter and Justin Towles both served as voting members of that committee.

With respect to protection of critical infrastructure from drones, the FAA has similarly delayed release of the NPRM required under Section 2209 of the 2016 FAA Extension, Safety and Security Act until September of 2020. This NPRM will allow operators of fixed site facilities, such as critical infrastructure, oil refineries, chemical

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facilities, amusement parks and other warranted locations, to seek restrictions on unmanned aircraft operations in close proximity to those sites.

[Click here](#) to view the full Department of Transportation Significant Rulemakings Report.

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