



A high-level comparison of proposed legislation from the U.S. House of Representatives and the U.S. Senate on the Special Rules for Model Aircraft and community-based organization operations. Dated June 23, 2017.

	HOUSE BILL	SENATE BILL
Registration is reinstated in both the House and Senate.	<p>Federal Aviation Administration may not promulgate any rule or regulation regarding a model aircraft or an aircraft being developed as a model aircraft (other than the registration of certain model aircraft pursuant to section 44103).</p> <p>Later in Section 437 the FAA is tasked to assess compliance with and effectiveness of registration</p>	<p>The Administrator may promulgate rules relating to the registration and markings of model aircraft.</p> <p>Section 2129: The rules adopted by the Administrator of the FAA in the matter of registration and marking requirements for small unmanned aircraft (FAA–2015–7396; published on December 16, 2015) that were vacated by the United States Court of Appeals for the District of Columbia Circuit in <i>Taylor v. Huerta</i> (No.15–1495; decided on May 19, 2017) shall be restored to effect on the date of enactment of this Act.</p>
Operations near airports.	House preserves existing notification requirement.	Senate keeps notification requirement in place, but adds “ unless the Administrator determines approval should be required.”
Clarifies and/or defines a CBO like the AMA.	<ul style="list-style-type: none"> • Is described in section 501(c)(3) of the Internal Revenue Code of 1986. • Is exempt from tax under section 501(a) of the Internal Revenue Code of 1986. • The mission of which is demonstrably the furtherance of model aviation. • Provides a comprehensive set of safety guidelines for all aspects of model aviation addressing the assembly and operation of model aircraft and that emphasize safe aeromodeling operations within the national airspace system and the protection and safety of individuals and property on the ground. • Provides programming and support for any local charter organizations, affiliates, or clubs. • Provides assistance and support in the development of locally designated model aircraft flying sites. 	Doesn't provide an exact definition, but separates CBO operators from other hobbyists. Senate tasks FAA to collaborate with CBOs and stakeholders to update the operating parameters for those: “...outside the membership, guidelines, and programming of a nationwide CBO...”
Recognize community-based organizations (CBOs).	FAA has 180 days to establish and make available to the public a process for recognizing CBOs.	Senate does not mandate recognition of CBOs.

Creates 400' altitude except under the programming of a CBO like the AMA.	House does not create altitude limits.	"the aircraft is flown from the surface to not more than 400 feet in altitude, except under special conditions and programs established by a community-based organization"
First Person View (FPV) is permitted with a spotter or co-locator.	House does not specifically address FPV.	FPV can be conducted with a person maintaining visual contact with the model aircraft described as "...persons co-located with the operator or in direct communication with the operator;"
336 protections expanded to include education operations.	<p>Expands protections beyond just higher education and schools to include training "regardless of any compensation, reimbursement..." or "incidental economic benefit gained..."</p> <p>This protection requires flights be "operated or supervised by a member of a CBO..."</p>	FAA to establish procedures and standards for higher education UAS use. If not completed within 270 days, higher education institutions may operate without the approval of the FAA at "...model aircraft fields approved by the Academy of Model Aeronautics and with the permission of the local club of the Academy of Model Aeronautics"
Knowledge and safety testing is required. Community-based organizations (CBOs) like the AMA can develop and administer the test.	House does not mandate testing.	<p>336 operators must pass "...an aeronautical knowledge and safety test administered by the Federal Aviation Administration online for the operation of unmanned aircraft systems subject to the requirements of section 44809 or developed and administered by the community-based organization and maintains proof of test passage to be made available to the Administrator or law enforcement upon request."</p> <p>§ 44809 Airmen certificate holders, children under 13, and models under .55 pounds are exempt. FAA, stakeholders, and CBO are tasked to develop the test.</p>
Federal preemption of the airspace is generally upheld with guidance to look at state and local roles and responsibilities.	House looks to Drone Advisory Committee and task groups to continue study on the roles and responsibilities of state and local government on UAS.	Senate also asks for a study on the roles and responsibilities of state and local government on UAS. In addition, empowers state and local law enforcement to police compliance that operators have the "authority to operate" and have passed the knowledge test referenced above.

<p>Proposed language on technology and manufacturing.</p>	<p>House asks manufacturers to take steps to educate consumers.</p>	<p>Senate creates manufacturing standards exempting “UAS that are not capable of navigating beyond visual line of sight.”</p> <p>Tasks FAA to look at geofencing, sense and avoid, lost link, tamper prevention, and other technologies for manufacturers. States CBOs should be consulted.</p>
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