



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

800 Independence Ave., S.W.  
Washington, D.C. 20591

July 20, 2015

Exemption No. 11251A  
Regulatory Docket No. FAA-2014-0826

Mr. Rex Peters  
AirRaid Aerials, LLC  
P.O. Box 28  
Kill Devil Hills, NC 27948

Dear Mr. Peters:

This letter is to inform you that we have granted your petition for an amendment. It explains the basis for our decision, describes its effect, and lists any changes to the original conditions and limitations.

By letters dated April 28 and May 5, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of AirRaid Aerials, LLC (hereinafter petitioner or operator) for an amendment to your current exemption. That exemption from §§ 61.23(a) and (c), 61.101(e)(4) and (5), 61.113(a), 61.315(a), 91.7(a), 91.119(c), 91.121, 91.151(a)(1), 91.405(a), 91.407(a)(1), 91.409(a)(1) and (2), and 91.417(a) and (b) of Title 14, Code of Federal Regulations (14 CFR) allows the petitioner to perform aerial data collection. You requested an amendment to conduct closed-set motion picture and television filming and production operations, and add the DJI Inspire 1 and Gryphon Dynamics X8<sup>1</sup>.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

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<sup>1</sup> The petitioner also requested authority to conduct UAS training. At this time, the FAA is unable to authorize UAS operations for training until a further assessment is completed. When the FAA completes its review, we will proceed accordingly and no further action will be required by the petitioner. However, the petitioner is permitted to train its own pilot in commands and visual observers in accordance with condition no. 14 and the other conditions and limitations in this exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested amendment to the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the petitioner. The unmanned aircraft(s) authorized in the original grant are comparable in type, size, weight, speed and operating capabilities to those in this petition.

### **Airworthiness Certification**

In accordance with the statutory criteria provided in Section 333 of Public Law 112–95 in reference to 49 U.S.C. § 44704, and in consideration of the size, weight, speed, and limited operating area associated with the aircraft and its operation, the Secretary of Transportation has determined that this aircraft meets the conditions of Section 333. Therefore, the FAA finds that relief from 14 CFR part 21, *Certification procedures for products and parts, Subpart H—Airworthiness Certificates*, and any associated noise certification and testing requirements of part 36, is not necessary.

### **Our Decision**

The FAA has determined that the justification for the issuance of Exemption No. 11251 remains valid and is in the public interest. Therefore, under the authority contained in 49 U.S.C. 106(f), 40113, and 44701, delegated to me by the Administrator, the operator is granted an amendment to conduct closed-set motion picture and television production, and add new aircraft to its UAS operations.

The operator shall add this amendment to its original exemption.

### **Conditions and Limitations**

All conditions and limitations within Grant of Exemption No. 11251 remain in effect except as follows. Condition No. 1 has been updated to reflect the additional aircraft. Condition No. 2 has been updated to reflect operations for closed-set motion picture and television filming and production.

Failure to comply with any of the conditions and limitations of this grant of exemption will be grounds for the immediate suspension or rescission of this exemption.

1. Operations authorized by this grant of exemption are limited to the Cinestar 8, DJI Inspire 1, and Gryphon Dynamics 8 when weighing less than 55 pounds including payload. Proposed operations of any other aircraft will require a new petition or a petition to amend this exemption.  
Operations for the purpose of closed-set motion picture and television filming are permitted.

This exemption terminates on April 30, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/

John S. Duncan

Director, Flight Standards Service



PO Box 28  
Kill Devil Hills, NC 27948  
Air.Raid@me.com  
252-202-5555

January 6, 2015

U.S. Department of Transportation  
Docket Management System  
1200 New Jersey Ave., SE  
Washington, DC 20590

Re: Exemption No. 11251 (April 1, 2015)  
Regulatory Docket No. FAA-2014-0826 (October 10, 2014)  
Amendment to AirRaid Aerials, LLC for Exemption Pursuant to Section 333 of the FAA  
Modernization and Reform Act of 2012

Dear Gentlemen:

Pursuant to Section 333 of the FAA Modernization and Reform Act of 2012 ("Reform Act") and 14 C.F.R. Part 1, AirRaid Aerials, LLC, hereby submits the following amendment to its Exemption granted on April 1, 2015.

For ease of use, this Amendment sets forth the heading of the applicable section of the April 1, 2015 Exemption, followed by a description of the addition or change to the section.

**Airworthiness Certification (Page 2)**

**Original Text:**

The UAS proposed by the petitioner is a CineStar 8.

**New Amended Text: (Added: "DJI Inspire 1 and Gryphon Dynamics X8")**

The UAS proposed by the petitioner is a CineStar 8, DJI Inspire 1 and Gryphon Dynamics X8.

Note: (The DJI Inspire has been approved for other operators as well as the Gryphon that has been approved for Team 5, LLC.)

**Our Decision (Page 2)**

**Original Text:**

In consideration of the foregoing, I find that a grant of exemption ..... to allow the petitioner to operate a UAS to perform aerial data collection and/or closed set motion picture and filming. This exemption is subject to the conditions and limitations listed below.

**New Amended Text: (Added: "and/or sUAS Training")**

In consideration of the foregoing, I find that a grant of exemption ..... to allow the petitioner to operate a UAS to perform aerial data collection and/or closed set motion picture and filming and/or sUAS Training. This exemption is subject to the conditions and limitations listed below.

**Conditions and Limitations (Page 3)**

**Original Text:**

1. Operations authorized by this grant of exemption are limited to the CineStar 8 when weighing less than 55 pounds including payload. Proposed operations of any other aircraft will require a new petition or a petition to amend this exemption.

**New Amended Text: (Added: "and DJI Inspire 1")**

1. Operations authorized by this grant of exemption are limited to the CineStar 8 and DJI Inspire 1 when weighing less than 55 pounds including payload. Proposed operations of any other aircraft will require a new petition or a petition to amend this exemption.

**Original Text:**

2. Operations for the purpose of closed-set motion picture and television filming are not permitted.

**New Amended Text: (Deleted: “not”)**

2. Operations for the purpose of closed-set motion picture and television filming are permitted.

*Note:* Under the “**Our Decision**” Page 2 of AirRaid Aerials, LLC Exemption Stated that : “..... to allow the petitioner to operate a UAS to perform aerial data collection and/or closed set motion picture and filming.”

**Original Text:**

21. Air Traffic Organization (ATO) Certificate of Waiver or Authorization (COA). All operations shall be conducted in accordance with an ATO-issued COA. The exemption holder may apply for a new or amended COA if it intends to conduct operations that cannot be conducted under the terms of the attached COA.

**New Amended Text: (Added:** “The FAA will grant a Certificate of Waiver or Authorization (COA) for flights at or below 200 feet .....”)

21. Air Traffic Organization (ATO) Certificate of Waiver or Authorization (COA). All operations shall be conducted in accordance with an ATO-issued COA. The exemption holder may apply for a new or amended COA if it intends to conduct operations that cannot be conducted under the terms of the attached COA.

The FAA will grant a Certificate of Waiver or Authorization (COA) for flights at or below 200 feet to any UAS operator with a Section 333 exemption for aircraft that weigh less than 55 pounds, operate during daytime Visual Flight Rules (VFR) conditions, operate within visual line of sight (VLOS) of the pilots, and stay certain distances away from airports or heliports:

- 5 nautical miles (NM) from an airport having an operational control tower; or
- 3 NM from an airport with a published instrument flight procedure, but not an operational tower; or
- 2 NM from an airport without a published instrument flight procedure or an operational tower; or
- 2 NM from a heliport with a published instrument flight procedure

The “blanket” 200-foot COA allows flights anywhere in the country except restricted airspace and other areas, such as major cities, where the FAA prohibits UAS operations.

See: **FAA Streamlines UAS COAs for Section 333** (<https://www.faa.gov/news/updates/?newsId=82245>)

**Conclusion**

If you have any questions or require any additional information, please do not hesitate to call.

AirRaid Aerials, LLC



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Rex Peters

**Attachments:**

DJI Inspire 1 Photo

DJI Inspire 1 User Manual

DJI Inspire Release Notes 4/14/2015

DJI Inspire Release Notes 1/15/2015

Gryphon Dynamics X8 Operating Manual

Gryphon Dynamics X8 Build Manual

FAA Streamlines UAS COAs for Section 333