



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

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

August 24, 2015

Exemption No. 12575
Regulatory Docket No. FAA-2015-2378

Mr. Tyler Pack
AirVidTech, LLC
1630 E 2450 South, #127
Saint George, UT 84790

Dear Mr. Pack:

This letter is to inform you that we have granted your request for exemption. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

By letter dated May 27, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of AirVidTech, LLC (hereinafter petitioner or operator) for an exemption. The petitioner requested to operate an unmanned aircraft system (UAS) to conduct aerial videography and cinematography.

See Appendix A for the petition submitted to the FAA describing the proposed operations and the regulations that the petitioner seeks an exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the petitioner.

Airworthiness Certification

The UAS proposed by the petitioner is a DJI Inspire 1.

The petitioner requested relief from 14 CFR part 21, *Certification procedures for products and parts, Subpart H—Airworthiness Certificates*. 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 the requested 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.

The Basis for Our Decision

You have requested to use a UAS for aerial data collection¹. The FAA has issued grants of exemption in circumstances similar in all material respects to those presented in your petition. In Grants of Exemption Nos. 11062 to Astraeus Aerial (*see* Docket No. FAA–2014–0352), 11109 to Clayco, Inc. (*see* Docket No. FAA–2014–0507), 11112 to VDOS Global, LLC (*see* Docket No. FAA–2014–0382), and 11213 to Aeryon Labs, Inc. (*see* Docket No. FAA–2014–0642), the FAA found that the enhanced safety achieved using an unmanned aircraft (UA) with the specifications described by the petitioner and carrying no passengers or crew, rather than a manned aircraft of significantly greater proportions, carrying crew in addition to flammable fuel, gives the FAA good cause to find that the UAS operation enabled by this exemption is in the public interest.

Having reviewed your reasons for requesting an exemption, I find that—

- They are similar in all material respects to relief previously requested in Grant of Exemption Nos. 11062, 11109, 11112, and 11213;
- The reasons stated by the FAA for granting Exemption Nos. 11062, 11109, 11112, and 11213 also apply to the situation you present; and
- A grant of exemption is in the public interest.

Our Decision

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. 106(f), 40113, and 44701, delegated to me by the Administrator, AirVidTech, LLC is granted an exemption from 14 CFR §§ 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), to the extent necessary to allow the petitioner to operate a UAS to perform aerial data collection. This exemption is subject to the conditions and limitations listed below.

¹ Aerial data collection includes any remote sensing and measuring by an instrument(s) aboard the UA. Examples include imagery (photography, video, infrared, etc.), electronic measurement (precision surveying, RF analysis, etc.), chemical measurement (particulate measurement, etc.), or any other gathering of data by instruments aboard the UA.

Conditions and Limitations

In this grant of exemption, AirVidTech, LLC is hereafter referred to as the operator.

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 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.
2. Operations for the purpose of closed-set motion picture and television filming are not permitted.
3. The UA may not be operated at a speed exceeding 87 knots (100 miles per hour). The exemption holder may use either groundspeed or calibrated airspeed to determine compliance with the 87 knot speed restriction. In no case will the UA be operated at airspeeds greater than the maximum UA operating airspeed recommended by the aircraft manufacturer.
4. The UA must be operated at an altitude of no more than 400 feet above ground level (AGL). Altitude must be reported in feet AGL.
5. The UA must be operated within visual line of sight (VLOS) of the PIC at all times. This requires the PIC to be able to use human vision unaided by any device other than corrective lenses, as specified on the PIC's FAA-issued airman medical certificate or U.S. driver's license.
6. All operations must utilize a visual observer (VO). The UA must be operated within the visual line of sight (VLOS) of the PIC and VO at all times. The VO may be used to satisfy the VLOS requirement as long as the PIC always maintains VLOS capability. The VO and PIC must be able to communicate verbally at all times; electronic messaging or texting is not permitted during flight operations. The PIC must be designated before the flight and cannot transfer his or her designation for the duration of the flight. The PIC must ensure that the VO can perform the duties required of the VO.
7. This exemption and all documents needed to operate the UAS and conduct its operations in accordance with the conditions and limitations stated in this grant of exemption, are hereinafter referred to as the operating documents. The operating documents must be accessible during UAS operations and made available to the Administrator upon request. If a discrepancy exists between the conditions and limitations in this exemption and the procedures outlined in the operating documents, the conditions and limitations herein take precedence and must be followed.

Otherwise, the operator must follow the procedures as outlined in its operating documents. The operator may update or revise its operating documents. It is the operator's responsibility to track such revisions and present updated and revised documents to the Administrator or any law enforcement official upon request. The operator must also present updated and revised documents if it petitions for extension or amendment to this grant of exemption. If the operator determines that any update or revision would affect the basis upon which the FAA granted this exemption, then the operator must petition for an amendment to its grant of exemption. The FAA's UAS Integration Office (AFS-80) may be contacted if questions arise regarding updates or revisions to the operating documents.

8. Any UAS that has undergone maintenance or alterations that affect the UAS operation or flight characteristics, e.g., replacement of a flight critical component, must undergo a functional test flight prior to conducting further operations under this exemption. Functional test flights may only be conducted by a PIC with a VO and must remain at least 500 feet from other people. The functional test flight must be conducted in such a manner so as to not pose an undue hazard to persons and property.
9. The operator is responsible for maintaining and inspecting the UAS to ensure that it is in a condition for safe operation.
10. Prior to each flight, the PIC must conduct a pre-flight inspection and determine the UAS is in a condition for safe flight. The pre-flight inspection must account for all potential discrepancies, e.g., inoperable components, items, or equipment. If the inspection reveals a condition that affects the safe operation of the UAS, the aircraft is prohibited from operating until the necessary maintenance has been performed and the UAS is found to be in a condition for safe flight.
11. The operator must follow the UAS manufacturer's maintenance, overhaul, replacement, inspection, and life limit requirements for the aircraft and aircraft components.
12. Each UAS operated under this exemption must comply with all manufacturer safety bulletins.
13. Under this grant of exemption, a PIC must hold either an airline transport, commercial, private, recreational, or sport pilot certificate. The PIC must also hold a current FAA airman medical certificate or a valid U.S. driver's license issued by a state, the District of Columbia, Puerto Rico, a territory, a possession, or the Federal government. The PIC must also meet the flight review requirements specified in 14 CFR § 61.56 in an aircraft in which the PIC is rated on his or her pilot certificate.
14. The operator may not permit any PIC to operate unless the PIC demonstrates the ability to safely operate the UAS in a manner consistent with how the UAS will be

operated under this exemption, including evasive and emergency maneuvers and maintaining appropriate distances from persons, vessels, vehicles and structures. PIC qualification flight hours and currency must be logged in a manner consistent with 14 CFR § 61.51(b). Flights for the purposes of training the operator's PICs and VOs (training, proficiency, and experience-building) and determining the PIC's ability to safely operate the UAS in a manner consistent with how the UAS will be operated under this exemption are permitted under the terms of this exemption. However, training operations may only be conducted during dedicated training sessions. During training, proficiency, and experience-building flights, all persons not essential for flight operations are considered nonparticipants, and the PIC must operate the UA with appropriate distance from nonparticipants in accordance with 14 CFR § 91.119.

15. UAS operations may not be conducted during night, as defined in 14 CFR § 1.1. All operations must be conducted under visual meteorological conditions (VMC). Flights under special visual flight rules (SVFR) are not authorized.
16. The UA may not operate within 5 nautical miles of an airport reference point (ARP) as denoted in the current FAA Airport/Facility Directory (AFD) or for airports not denoted with an ARP, the center of the airport symbol as denoted on the current FAA-published aeronautical chart, unless a letter of agreement with that airport's management is obtained or otherwise permitted by a COA issued to the exemption holder. The letter of agreement with the airport management must be made available to the Administrator or any law enforcement official upon request.
17. The UA may not be operated less than 500 feet below or less than 2,000 feet horizontally from a cloud or when visibility is less than 3 statute miles from the PIC.
18. If the UAS loses communications or loses its GPS signal, the UA must return to a pre-determined location within the private or controlled-access property.
19. The PIC must abort the flight in the event of unpredicted obstacles or emergencies.
20. The PIC is prohibited from beginning a flight unless (considering wind and forecast weather conditions) there is enough available power for the UA to conduct the intended operation and to operate after that for at least five minutes or with the reserve power recommended by the manufacturer if greater.
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.
22. All aircraft operated in accordance with this exemption must be identified by serial number, registered in accordance with 14 CFR part 47, and have identification

(N–Number) markings in accordance with 14 CFR part 45, Subpart C. Markings must be as large as practicable.

23. Documents used by the operator to ensure the safe operation and flight of the UAS and any documents required under 14 CFR §§ 91.9 and 91.203 must be available to the PIC at the Ground Control Station of the UAS any time the aircraft is operating. These documents must be made available to the Administrator or any law enforcement official upon request.
24. The UA must remain clear and give way to all manned aviation operations and activities at all times.
25. The UAS may not be operated by the PIC from any moving device or vehicle.
26. All Flight operations must be conducted at least 500 feet from all nonparticipating persons, vessels, vehicles, and structures unless:
 - a. Barriers or structures are present that sufficiently protect nonparticipating persons from the UA and/or debris in the event of an accident. The operator must ensure that nonparticipating persons remain under such protection. If a situation arises where nonparticipating persons leave such protection and are within 500 feet of the UA, flight operations must cease immediately in a manner ensuring the safety of nonparticipating persons; and
 - b. The owner/controller of any vessels, vehicles or structures has granted permission for operating closer to those objects and the PIC has made a safety assessment of the risk of operating closer to those objects and determined that it does not present an undue hazard.

The PIC, VO, operator trainees or essential persons are not considered nonparticipating persons under this exemption.

27. All operations shall be conducted over private or controlled-access property with permission from the property owner/controller or authorized representative. Permission from property owner/controller or authorized representative will be obtained for each flight to be conducted.
28. Any incident, accident, or flight operation that transgresses the lateral or vertical boundaries of the operational area as defined by the applicable COA must be reported to the FAA's UAS Integration Office (AFS–80) within 24 hours. Accidents must be reported to the National Transportation Safety Board (NTSB) per instructions contained on the NTSB Web site: www.nts.gov.

If this exemption permits operations for the purpose of closed-set motion picture and television filming and production, the following additional conditions and limitations apply.

29. The operator must have a motion picture and television operations manual (MPTOM) as documented in this grant of exemption.
30. At least 3 days before aerial filming, the operator of the UAS affected by this exemption must submit a written Plan of Activities to the local Flight Standards District Office (FSDO) with jurisdiction over the area of proposed filming. The 3-day notification may be waived with the concurrence of the FSDO. The plan of activities must include at least the following:
 - a. Dates and times for all flights;
 - b. Name and phone number of the operator for the UAS aerial filming conducted under this grant of exemption;
 - c. Name and phone number of the person responsible for the on-scene operation of the UAS;
 - d. Make, model, and serial or N-Number of UAS to be used;
 - e. Name and certificate number of UAS PICs involved in the aerial filming;
 - f. A statement that the operator has obtained permission from property owners and/or local officials to conduct the filming production event; the list of those who gave permission must be made available to the inspector upon request;
 - g. Signature of exemption holder or representative; and
 - h. A description of the flight activity, including maps or diagrams of any area, city, town, county, and/or state over which filming will be conducted and the altitudes essential to accomplish the operation.
31. Flight operations may be conducted closer than 500 feet from participating persons consenting to be involved and necessary for the filming production, as specified in the exemption holder's MPTOM.

Unless otherwise specified in this grant of exemption, the UAS, the UAS PIC, and the UAS operations must comply with all applicable parts of 14 CFR including, but not limited to, parts 45, 47, 61, and 91.

This exemption terminates on August 31, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/

John S. Duncan

Director, Flight Standards Service

Enclosures

May 27, 2015

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

Re: Exemption Request Section 333 of the FAA Reform Act of the Federal Aviation Regulations from 14 C.F.R. 45.23(b); 14 C.F.R. Part 21; 14 C.F.R. 61.113(a)&(b); 91.7(a); 91.9(b) (2); 91.103(b); 91.109; 119.121; 91.151(a); 91.203(a)&(b); 91.405(a); 91.407(a) (1); 91.409(a) (2); 91.417(a)&(b)

Dear Sir or Madam,

AirVidTech, LLC, ("AVT") is writing pursuant to the FAA Modernization and Reform Act of 2012 and the procedures contained within 14 C.F.R. 11, to request that AVT, an owner and operator of small unmanned aircraft, be exempted from the Federal Aviation Regulations ("FARs") listed below so that AVT may operate small ultra light weight unmanned aircraft system ("UAS") commercially in airspace regulated by the Federal Aviation Administration ("FAA").

As described herein, AVT, is a business entity within the State of Utah. A founder of AVT, Mr. Tyler Pack, is a licensed commercial rotor wing pilot and he is AVT's Chief Officer of Operations and Chief Pilot in Command. Additionally, Mr. Pack is experienced in flying hobby helicopters for recreational purposes with over 25 hours logged flying UAS. AVT has added a quad-copter¹ UAS to its inventory equipped with a camera with intent for aerial videography/cinematography to enhance academic and community awareness for individuals and companies unfamiliar with the geographical layout of the State of Utah and surrounding states of Arizona, Colorado, Idaho, New Mexico and Nevada and to augment real estate listing videos; following exemption and approval by the FAA, which thereby enhances the academic research experience for the aforementioned geographic areas. AVT plans to add additional quad-copters to its inventory in the future with safety features that are comparable or exceed those of the UAS currently in AVT's inventory.

Members of AVT have flown small RC electric helicopters for over five years without incident. AVT is committed to safety with each flight. AVT's exemption request would

¹ In an environmental effort to reduce paper usage and comply with the 10MB file size limit for submission of comments at www.regulations.gov, the DJI Inspire 1 manufacturer's documents and manuals are available to download as pdf files at <http://www.dji.com/product/inspire-1/download>; which includes *Inspire 1 Quick Start Guide (EN) v1.2*, *Inspire 1 User Manual (EN) v1.2*, *Inspire 1 Safety Guidelines v1.0*, *Intelligent Flight Battery Safety Guidelines v1.0*, *Inspire 1 Maintenance Manual v1.0*, *Inspire 1 Disclaimer & Warning* and *Inspire 1 Release Note*.

permit operation of ultra light weight, unmanned (piloted by remote control) and comparatively inexpensive UAS(s) in tightly controlled and limited airspace. Predetermined in areas away from general public, airports, heliports and vehicular traffic for community and business promotional videos, and within property boundaries for individual homeowner real estate listing videos/photos. Currently, similar lightweight, remote controlled UAS's are legally operated by unmonitored amateur hobbyists with no safety plan or controls in place to prevent catastrophe. AVT has instilled safety protocols and controls² to avoid and prevent public hazard, as well as manned aircraft hazards/catastrophe. This will act to further safety protocols exclusive to lightweight UAS's specific to real estate and business promotional video and photography usage as AVT records flight data and other information gained through permitted flight operations to share with the FAA through any required FAA reports to assist with future protocol and safety regulation.

Granting AVT's, request comports with the Secretary of Transportation's (FAA Administrator's) responsibilities and authority to not only integrate UAS's into the national airspace system, but to "...establish requirements for the safe operation of such aircraft systems [UAS's] in the national airspace system" under Section 333(c) of the Reform Act specific to the use of UAS's for real estate purposes. Further AVT will conduct operations in compliance with the protocols described herein or as otherwise established by the FAA.

For the reasons stated below AVT respectfully requests the grant of an exemption allowing AVT to operate ultra light weight, remote controlled UAS's for academic, public sector, private sector awareness to benefit, stimulate, educate and attract people and business to the aforementioned geographic areas for business development, including the enhancement of real estate listing videos for homeowners who cannot afford expensive manned aircraft for the same purpose. All of which will promote local economic growth through increased employment and increased tax base. This would be accomplished with public safety in mind by reducing the number of flights of heavier manned aircraft containing combustible fuel that pose a potential public hazard.

I. Contact Information:

Mr. Tyler Pack
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Saint George, Utah 84790
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Email: tyler@airvidtech.com

II. The Specific Sections of Title 14 of the Code of Federal Regulations From Which AirVidTech, LLC Requests Exemption are:

14 CFR 21;

² Appendix A – AirVidTech, LLC Protocols and Controls

14 C.F.R. 45.23(b);
14 CFR 61.113 (a) & (b);
14 C.F.R. 91, et seq.;
14 CFR 407 (a) (1);
14 CFR 409 (a) (2); and,
14 CFR 417 (a) & (b).

III. The Extent of relief AVT seeks and the Reason AVT Seeks Such Relief:

AVT submits this application in accordance with the Reform Act, 112 P.L. 95 §§ 331-334, seeking relief from any currently applicable FARs operating to prevent AVT contemplated commercial cinematic, academic and other flight operations within the national airspace system. The Reform Act in Section 332 provides for such integration of civil unmanned aircraft systems into our national airspace system as it is in the public's interest to do so. AVT's ultra light weight UAS meets the definition of "small unmanned aircraft" as defined in Section 331 and therefore the integration of AVT's ultra light weight UAS is expressly contemplated by the Reform Act. AVT would like to operate its ultra light weight UAS prior to the time period by which the Reform Act requires the FAA to promulgate rules governing such craft. Thereby, providing direct experience and valuable information for formal regulation that can be administered uniformly to UAS aerial video and photography. The Reform Act guides the Secretary in determining the types of UAS's that may operate safely in our national airspace system. Considerations include: The weight, size, speed and overall capabilities of the UAS's; whether the UAS will be operated near airports or heavily populated areas; and, whether the UAS will be operated by line of sight. 112 P.L. 95 § 333 (a). Each of these items reflect in favor of an exemption for AVT. AVT's UAS utilizes four (4) counter-rotating propellers for balance, control and stability. AVT's UAS is equipped with GPS and auto return safety technology. Weighing less than seven (7) pounds (far below the maximum 55 pound limit); including camera with gimbal.

AVT considers safety as foremost with each flight. AVT's small unmanned aircraft is designed to hover in place via GPS and operate in less than a twenty-two (22) mph wind. For safety, stability and fear of financial loss AVT will not fly in winds exceeding eighteen (18) mph. Built in safety systems include a GPS mode that allows AVT's UAS to hover in place when radio controls are released as well as a safety return to home function. AVT utilizes the GPS Mode for aerial videography/photography. This is the safest, most reliable and stable mode to prevent accident and hazard. When pilot communication is lost, the UAS is designed to slowly descend to the point of take off. AVT does not operate its UAS near airports, Hospitals nor Police heliports, and does not operate near areas where general public is within fifty to one hundred (50-100) feet depending on location, conditions and weather. AVT's pilots are constantly on alert for any manned aircraft (Police/Medical helicopters, etc.) and prepared to land/abort immediately to the nearest and safest ground point should a manned aircraft approach its location or AVT's pilots suspect manned aircraft may approach near their location. AVT's UAS is capable of vertical and horizontal operations, and is flown only within line of sight of the remote control pilot or observer. Utilizing battery power rather than

combustible fuels, flights generally last between eleven (11) to fourteen (14) minutes, with an altitude under two hundred (200) feet AGL. AVT utilizes a fresh fully charged battery with each flight as a safety precaution; full flight time limit for each battery is fourteen (14) to sixteen (16) minutes as tested. AVT pilots operate its UAS at or below manufacture recommend minimum levels for operation; preferring to remain well within a safe operating range to insure adequate communication between radio control and UAS to eliminate potential for crash, loss of control or hazard. Reserve batteries are at hand with each exercise to insure replacement for sufficient safe level of operation. AVT pilots do not believe in taking risk that may cause a crash that could create hazard to the public/property/manned aircraft, and have no desire to lose an investment. AVT's pilots have clocked numerous practice flights in remote areas as a hobbyist simulating flights for future commercial use to gain familiarization with the characteristics of this specific UAS's performance under different temperature and weather conditions. AVT pilots also practice computerized simulated flights to maintain adequate skills and response reflex time. All for the sake of safety.

AVT's pilots are extremely cautious when operating UAS/ultra light weight unmanned aircraft and will not "create a hazard to users of the national airspace system or the public." 112 P.L. 95 § 333 (b). Given the small size and weight of AVT's UAS it falls well within Congress's contemplated safety zone when it promulgated the Reform Act and the corresponding directive to integrate UAS's into the national airspace system. AVT's UAS, used in hobby flight, has a demonstrable safety record and does not pose any threat to the general public or national security.

IV. How AVT's Request Will Benefit the Public as a Whole:

Aerial videography for geographical awareness for research, business development and for real estate marketing and other purposes has historically been available for a long time through manned fixed wing aircraft and helicopters. For small budget photography/videography, real estate companies and average homeowners the expense of such aerial videography is cost prohibitive, which deprives such persons of a educational resource and a valuable marketing tool. Manned aircraft pose a threat to the public through potential catastrophic crashes resulting in loss of life and combustible fuel that can explode and burn on impact. AVT's, UAS pose no such threat since size and lack of combustible fuel alleviates any potential threat to the public.

Congress has already proclaimed that it is in the public's interest to integrate commercially flown UAS's into the national airspace system, hence the passing of the Reform Act. Granting AVT's, exemption request furthers the public interest through academic/visual awareness of the geographical benefits in the aforementioned areas. AVT's ultra light weight UAS is battery powered and creates no emissions that can harm the environment. The consequence of AVT's ultra light weight UAS crashing is far less than a full size helicopter or fixed wing aircraft; which are heavy, contain combustible fuel and can cause catastrophic devastation to the public.

The public's interest is furthered by minimizing ecological and crash threat by permitting aerial video/photo capture through AVT's battery operated ultra light weight UAS. Permitting AVT to immediately fly within national air space furthers economic growth. Granting AVT's exemption request substantially furthers the economic impact for the communities served by assisting companies looking to perform research, relocate, promote their business, or build in the aforementioned geographic areas as well as individuals looking to relocate for career advancement through academic and geographical awareness. All of which serves as a stimulus to the community.

V. Reasons Why AirVidTech, LLC's Exemption Will Not Adversely Affect Safety or How the Exemption Will Provide a Level of Safety At Least Equal To Existing Rule:

AVT's, exemption will not adversely affect safety. Quite the contrary, for the reasons stated permitting AVT to log more flight time in FAA controlled airspace, with communication with the FAA, will allow AVT to contribute to the innovation and implementation of new and novel, as of yet undiscovered safety protocols that can be embraced by other professional organizations for development in cooperation with the FAA. In addition AVT submits the following representations of enhancements to current aerial videography and photography:

- AVT's UAS weighs less than seven (7) pounds.
- AVT lands its UAS prior to twenty (20) percent remaining battery power;
- AVT pilots its UAS through remote control only by line of sight of the pilot in command or observer;
- AVT's UAS has GPS a flight safety feature whereby it hovers and then slowly lands if communication with the remote control pilot is lost;
- AVT actively analyzes flight data and other sources of information to constantly update and enhance safety protocols;
- AVT only operates in reasonably safe environment that are strictly controlled, are away from power lines, elevated lights, airports and actively populated areas;
- AVT conducts extensive pre-flight inspections and protocol, during which safety carries primary importance;
- AVT always obtains all necessary permissions prior to operation; and,
- AVT has procedures in place to abort flights in the event of safety breaches or potential danger.

AVT's, safety protocols provide a level of safety equal to or exceeding existing rules. It is important to note that absent the integration of commercial UAS into our national airspace system, helicopters are the primary means of aerial video and photography for community awareness, business development, and real estate. While the safety record of such helicopters is remarkably astounding, there are from time-to-time local incidents involving loss of life as well as extensive property damage. It is far safer to operate a battery powered ultra light weight UAS for the following reasons.

- First, the potential loss of life is diminished because UAS's carry no people on board and AVT only operates its UAS in specific areas away from mass populations.
- Second, there is no fuel on board a UAS and thus the potential for fire or explosions is greatly diminished.
- Third, the small size and extreme maneuverability of the UAS allows AVT to remotely pilot away from and avoid hazards quickly and safely.
- Lastly, given its small size and weight, even when close enough to capture photographic images and video, AVT's UAS need not be so close to the objects they are focused on through the technology and use of post editing software that offers pan and zoom functionality.

Accordingly, AVT's UAS has been experimentally operated for familiarization/competency and will continue to operate at and above current safety levels.

VI. A Summary the FAA May Publish in the Federal Register:

A. 14 C.F.R. 21 and 14 C.F.R. 91: Airworthiness Certificates, Manuals and the Like.

14 C.F.R. 21, Subpart H, entitled Airworthiness Certificates, sets forth requirements for procurement of necessary airworthiness certificates in relation to FAR § 91.203(a)(1). The size, weight and enclosed operational area of AVT's UAS permits exemption from Part 21 because AVT's UAS meets (and exceeds) an equivalent level of safety pursuant to Section 333 of the Reform Act. The FAA is authorized to exempt aircraft from the airworthiness certificate requirement under both the Act (49 U.S.C. § 44701 (f)) and Section 333 of the Reform Act. Both pieces of legislation permit the FAA to exempt UAS's from the airworthiness certificate requirement in consideration of the weight, size, speed, maneuverability and proximity to areas such as airports and dense populations. AVT's current and projected UAS's meet or exceed each of the elements.

14 C.F.R. 91.7(a) prohibits the operation of an aircraft without an airworthiness certificate. As no such certificate will be applicable in the form contemplated by the FARs, this Regulation is inapplicable.

14 C.F.R. § 91.9 (b) (2) requires an aircraft flight manual in the aircraft. As there are no on board pilots or passengers, and given the size of the UAS's, this Regulation is inapplicable. An equivalent level of safety will be achieved by adherence to AVT's Protocols and Controls and maintaining Flight Records.³ The FAA has previously issued exemptions to this regulation in Exemption Nos. 8607, 8737, 8738, 9299, 9299A, 9565, 9565B, 10167, 10167A, 10602, 10700 and 32827.

14 C.F.R. § 91.121 regarding altimeter settings is inapplicable insofar as AVT's UAS utilizes electronic global positioning systems with a barometric sensor.

³ Appendix B – AirVidTech, LLC Flight Records

14 C.F.R. § 91.203 (a) and (b) provides for the carrying of civil aircraft certifications and registrations. They are inapplicable for the same reasons described above. The equivalent level of safety will be achieved by maintaining any such required certifications and registrations by AVT.

B. 14 C.F.R. § 45.23: Marking of The Aircraft.

Applicable Codes of Federal Regulation require aircraft to be marked according to certain specifications. AVT's are, by definition, unmanned. They therefore do not have a cabin, cockpit or pilot station on which to mark certain words or phrases. Further, two-inch lettering is difficult to place on such small aircraft with dimensions smaller than minimal lettering requirement. Regardless, AVT will mark its UASs in the largest possible lettering by placing the word "EXPERIMENTAL" on its fuselage as required by 14 C.F.R. §45.29 (f) so that the pilot in command, or visual observer with the UAS will see the markings. The FAA has previously issued exemptions to this regulation through Exemptions Nos. 8738, 10167, 10167A and 10700.

C. 14 C.F.R. § 61.113: Private Pilot Privileges and Limitations: PIC.

Pursuant to 14 C.F.R. §§ 61.113 (a) & (b), private pilots are limited to non-commercial operations. AVT can achieve an equivalent level of safety as achieved by current Regulations because AVT's UAS does not carry any pilots or passengers. Further, while helpful, a pilot license will not ensure remote control piloting skills. The risks attendant to the operation of AVT's UAS are far less than the risk levels inherent in the commercial activities outlined in 14 C.F.R. § 61, et seq. Thus, allowing AVT to operate its UAS to meet and exceed current safety levels in relation to 14 C.F.R. §61.113 (a) & (b).

D. 14 C.F.R. 91.119: Minimum Safe Altitudes.

14 C.F.R. § 91.119 prescribes safe altitudes for the operation of civil aircraft. It allows helicopters to be operated at lower altitudes in certain conditions. AVT's UAS will never operate at an altitude greater than 400 AGL. AVT will operate its UAS in safe areas away from public and traffic, providing a level of safety at least equivalent to or below those in relation to minimum safe altitudes. Given the size, weight, maneuverability and speed of its UAS, an equivalent or higher level of safety will be achieved.

E. 14 C.F.R. 91.405 (a); 407 (a) (1); 409 (a) (2); 417(a) & (b): Maintenance Inspections.

The above-cited Regulations require, amongst other things, aircraft owners and operators to "have [the] aircraft inspected as prescribed in subpart E of this part and shall between required inspections, except as provided in paragraph (c) of this section, have discrepancies repaired as prescribed in part 43 of this chapter. . . ."

These Regulations only apply to aircraft with an airworthiness certificate. They will not, therefore, apply to AVT's UAS. However, as a safety precaution AVT inspects its UAS before and after each flight.

A Summary The FAA May Publish in the Federal Register: A. 14 C.F.R. 21 and 14 C.F.R. 91: Airworthiness Certificates, Manuals and The Like. 14 C.F.R. 21, Subpart H, entitled Airworthiness Certificates, sets forth requirements for procurement of necessary airworthiness certificates in relation to FAR § 91.203(a)(1). The size, weight and enclosed operational area of AVT's UAS permits exemption from Part 21 because AVT's UAS meets an equivalent level of safety pursuant to Section 333 of the Reform Act. The FAA is authorized to exempt aircraft from the airworthiness certificate requirement under both the Act (49 U.S.C. § 44701 (f)) and Section 333 of the Reform Act. Both pieces of legislation permit the FAA to exempt UAS's from the airworthiness certificate requirement in consideration of the weight, size, speed, maneuverability and proximity to areas such as airports and dense populations. AVT's UAS meets or exceeds each of the elements. 14 C.F.R. 91.7(a) prohibits the operation of an aircraft without an airworthiness certificate. As no such certificate will be applicable in the form contemplated by the FARs, this Regulation is inapplicable. 14 C.F.R. § 91.9 (b) (2) requires an aircraft flight manual in the aircraft. As there are no pilots or passengers, and given the size of the UASs, this Regulation is inapplicable. An equivalent level of safety will be achieved by maintaining a manual. The FAA has previously issued exemptions to this regulation in Exemption Nos. 8607, 8737, 8738, 9299, 9299A, 9565, 9565B, 10167, maintenance program that involves regular software updates and curative measures for any damaged hardware. Therefore, an equivalent level of safety will be achieved.

In summary, AirVidTech, LLC seeks an exemption from the following Regulations:

14 C.F.R. 21, subpart H; 14 C.F.R. 45.23(b); 14 C.F.R. §§ 61.113 (a) & (b); 14 C.F.R. § 91.7 (a); 14 C.F.R. § 91.9 (b)(2); 14 C.F.R. § 91.103(b); 14 C.F.R. § 91.109; 14 C.F.R. § 91.119; 14 C.F.R. § 91.121; 14 C.F.R. § 91.151(a); 14 C.F.R. §§ 91.203(a) and (b); 14 C.F.R. § 91.405 (a); 14 C.F.R. § 91.407 (a)(1); 14 C.F.R. § 91.409 (a)(2); 14 C.F.R. § 91.409 (a) (2); and, 14 C.F.R. §§ 91.417 (a) & (b) to commercially operate AVT's, small unmanned vehicle/lightweight unmanned aircraft vehicle in community awareness, business development, and real estate operations, and to develop economic platforms for real estate to enhance the experience of those seeking to relocate to aforementioned areas. Currently, area awareness and real estate aerial videography/photography relies primarily on the use of larger aircraft running on combustible fuel. Posing potential risk to the public. Granting AVT's request for exemption will reduce current risk levels and thereby enhance safety. AVT's UAS craft do not contain potentially explosive fuel, is smaller, lighter and more maneuverable than conventional real estate video and photographic aircraft with much less flight time. Further, AVT operates at lower altitudes and in controlled airspace eliminating potential public risk flying to and from established air fields. AVT has been recording flight information and will compile safety protocols and the implementation of a flight

operations manual for real estate usage that exceeds currently accepted means and methods for safe flight. Formal collection of information shared with the FAA will enhance the FAA's internal efforts to establish protocols for complying with the FAA Modernization and Reform Act of 2012. There are no personnel on board AVT's UAS and therefore the likelihood of death or serious bodily injury is significantly diminished. AVT's operation of its UAS, weighing less than seven (7) pounds and travelling at lower speeds within limited areas will provide an equivalent level of safety as that achieved under current FARs. Accordingly AVT respectfully request that the FAA grant its exemption request and is willing to cooperate in sharing information to benefit the FAA, safety of manned aircraft, and the general public at large.

Respectfully submitted,

A handwritten signature in black ink, reading "Tyler Pack". The signature is written in a cursive, flowing style. The first name "Tyler" is written with a large, stylized 'T' and 'y'. The last name "Pack" is written with a large, stylized 'P' and 'k'.

Tyler Pack
AirVidTech, LLC
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Saint George, Utah 84790

Appendix A

AirVidTech, LLC's Protocols and Controls

AVT Commercial Activity Safety Controls

Safety for public on the ground as well as manned aircraft above is an essential and utmost consideration for aerial videos and photography. As such, safety controls must be implemented before, during, and after each flight.

Before Flight

- Perform preflight checks
- Verify current and forecast weather for duration of flight is within recommendations for flight
- Notify area airports of drone operations and flight times as necessary
- Ensure operations and flight area is clear of non-essential personnel out to 100 feet of operations area
- Perform walk around of the intended flight area for orientation and to verify safe distances to hazardous objects including but not limited to trees, wires, poles, structures, wild life, antennas, people, other aircraft, etc.
- Determine most suitable and safest location for base operations, take off, and landing

During Flight

- Monitor battery level for aircraft and remote controller
- Maintain visual contact with UAS by pilot on the controls and/or visual observer
- Maintain pre-determined safe distance from hazardous objects
- Maintain continuous control of the UAS during all phases of flight to include takeoff, airborne operations, and landing
 - If at any time flight control is lost, becomes impaired, or performs outside the normal range of operation the UAS will land to the safest location and will undergo a maintenance evaluation
- Continuously scan and listen for other aircraft, birds, or other airborne objects
 - In the event an airborne object is seen within 1,000 feet of UAS operations, the UAS will land immediately to a safe location
 - In the event an airborne object is heard but cannot be visually spotted, the UAS will land immediately to a safe location and airborne operations will not continue until the un-identified airborne object is visually spotted

Post Flight

- Disassemble UAS and store in travel case to prevent inadvertent damage to the airframe
- Notify area airports of completion of drone operations
- Record flight time, maintenance, and operational notes in flight log

Compliance

Any and all protocols, procedures, or controls not listed in this document are listed and shall be followed according to the manufacturer recommendations and manuals listed below and be available for reference at every commercial operation:

- Flight manual – DJI User Manual and DJI Quick Start Guide
- Safety controls – DJI Safety Guidelines
- Pre-flight checklist – DJI User Manual and DJI Safety Guidelines
- Maintenance – DJI Maintenance Manual

Appendix B

AirVidTech, LLC's Flight Records

Flight Log
Airframe Log
Battery Log
Maintenance Log
Legend

FLIGHT LOG

[illegible]

AIRFRAME LOG

[illegible]

BATTERY LOG

[illegible]

MAINTENANCE LOG

[illegible]

LEGEND

Battery	
ia	4500 mAh Inspire TB47 Intelligent Flight Battery
ib	4500 mAh Inspire TB47 Intelligent Flight Battery
ic	4500 mAh Inspire TB47 Intelligent Flight Battery
Maintenance	
x	ground UAS for maintenance
/	maintenance needed but not necessary prior to continued safe flight
n	UAS structural and flight characteristic note