

# FAA UAS SYMPOSIUM

**International Commercial Operators in the U.S.**



Federal Aviation  
Administration



#UAS2018

# International Operators in the United States



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# Scenarios for Operation



- 1. Operate your own foreign-registered sUAS, and obtain an FAA remote pilot's certificate.**
- 2. Operate your own foreign-registered sUAS, but under the direct supervision of a U.S. Certificated Remote Pilot in Command.**
- 3. Use your own foreign-registered sUAS, but subcontract the operation to a U.S. Certificated Remote Pilot.**
- 4. Operators from Canada and Mexico.**

# 14 CFR Applicable Regulations



- **Part 107**, Small Unmanned Aircraft Systems
  - Requirements for pilot certification and operations of sUAS
- **Part 48**, Registration and Marking Requirements for Small Unmanned Aircraft
  - Requirements for registration of sUAS
  - Requires U.S. citizenship to register
  - For foreign citizens, U.S. certificate shows ownership
- **Part 375**, Navigation of Foreign Civil Aircraft in the U.S.
  - Requirements for operation of foreign civil aircraft including sUAS
- North American Free Trade Agreement (**NAFTA**)
  - Blanket foreign aircraft permit for operators from Canada and Mexico to conduct NAFTA-authorized specialty air services

# Scenario 1: Operate a Foreign-Registered sUAS as a Part 107 Pilot




Foreign Aircraft Permit,  
Under Part 375

Remote Pilot Certificate,  
Under Part 107

# Foreign Aircraft Permit



- Foreign sUAS are regulated under **Part 375**.
- **OST Form 4509** – *Application for Foreign Aircraft Permit or Special Authorization under Part 375*.
- Submit to the Office of the Secretary of Transportation (OST) at DOT.
- Submit at least **15 days prior to operation**.
- sUAS must be registered in a foreign country.
- Publically available on DOT website.

DO NOT WRITE—FOR OFFICIAL USE ONLY	
 U.S. Department of Transportation  <b>APPLICATION FOR FOREIGN AIRCRAFT PERMIT OR SPECIAL AUTHORIZATION UNDER PART 375</b>  (See Instructions on Reverse Side) To: Department of Transportation Foreign Air Carrier Licensing Division, X-45 Office of International Aviation 400 Seventh Street, S.W. Washington, D.C. 20590	Disposition of Application:  <input type="checkbox"/> Approved <input type="checkbox"/> Approved, subject to condition(s) on reverse <input type="checkbox"/> Disapproved/Dismissed for reason(s) cited on reverse.  Under assigned authority _____ Effective from _____ to _____  Director, Office of International Aviation
1. Name and address of applicant: (operator)  Nationality: _____	Operations pursuant to this authorization shall conform to Part 375 of the Department's regulations and Part 91 of the Federal Aviation Regulations. <b>THIS PERMIT MUST BE CARRIED ABOARD AIRCRAFT DURING FLIGHT OVER UNITED STATES TERRITORY.</b>
2. Send Authorization to: a. Name and Address:   b. Telephone: 112  c. Fax: 112	3. Aircraft make, model, and registration or identification marks:   4. Country in which aircraft is registered: _____
5. Name and address of registered owner of aircraft:	6. Name and address of contractor/charterer:

# U.S. Remote Pilot Certification



- Be at least 16 years old.
- Be able to read, write and speak English.
- Provide a passport, driver's license, or other government issued ID.
- Pass an aeronautical knowledge test at an FAA-approved knowledge testing center located within the United States (\$150 fee).
- Undergo Transportation Safety Administration (TSA) security screening.
- Complete the FAA Airman Certificate and/or Rating Application (IACRA) to receive a remote pilot certificate (processed within 10 business days).

# Scenario 2: Operate a Foreign-Registered sUAS with a U.S. Pilot-in-Command

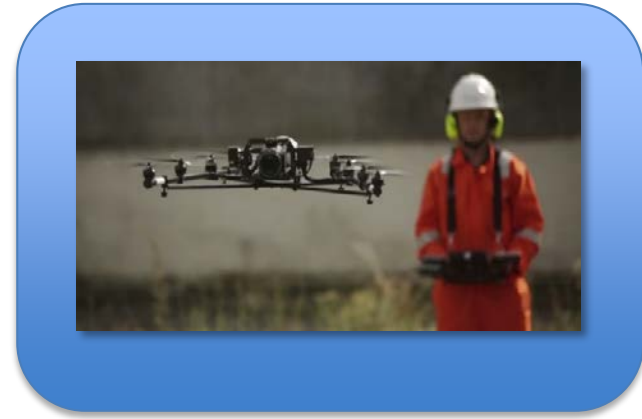


Foreign Aircraft Permit,  
Under Part 375

- Partner with U.S.-Certificated Remote Pilot
- Operate under direct supervision of the Pilot in Command (PIC)



# Scenario 3: Use a Foreign-Registered sUAS operated by a U.S. Remote Pilot



Foreign Aircraft Permit,  
Under Part 375

Subcontract the operation to a  
U.S.-Certificated Remote Pilot

# Scenario 4: Operators from NAFTA Countries



NAFTA permit for authorized specialty air services

Remote Pilot Certificate, Under Part 107

NAFTA-authorized specialty air services may be operated pursuant to the blanket NAFTA permit. Other specialty air services require application.

# Other Possible Scenarios and Considerations



- These 4 scenarios cover the majority of operations for foreign operators.
- For other possible scenarios involving foreign operators, discussions will be handled on a case-by-case basis.

## Contacts:

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# FAA UAS SYMPOSIUM

## Background Slides



Federal Aviation  
Administration



# Part 107 Operating Rules



- Unmanned aircraft must weigh less than 55 pounds, including payload, at takeoff
- Fly in Class G airspace
- Keep the unmanned aircraft within visual line-of-sight
- Fly at or below 400 feet
- Fly during daylight or civil twilight
- Fly at or under 100 mph
- Yield right of way to manned aircraft
- Do not fly directly over people
- Do not fly from a moving vehicle, unless in a sparsely populated area

# Part 375 Additional Information



- **14 CFR Part 375** – Governs navigation of foreign civil aircraft within the United States, to include sUAS operations.
- **Foreign civil aircraft definition:** (a) an aircraft of foreign registry that is not part of the armed forces of a foreign nation, or (b) a U.S.-registered aircraft owned, controlled or operated by persons who are not citizens or permanent residents of the United States.
- **Foreign Aircraft Permit (OST Form 4509)** – OST economic authority for foreign civil aircraft specialty air service operations conducted in the United States for remuneration or hire — **bottom line:** if a foreign civil operator is being compensated (directly or indirectly) for providing a commercial specialty air service, a foreign aircraft permit is required. Canadian and Mexican operators may be covered by blanket NAFTA permit.

# Part 375 Application and Process



- Applicants submit OST Form 4509 to OST by e-mail to [Robert.Finamore@dot.gov](mailto:Robert.Finamore@dot.gov) -- Filing fee is \$25.
- Complete and accurate applications will be posted on [www.regulations.gov](http://www.regulations.gov) for public comment period of 7 business days, and OST will coordinate with FAA (AFS-50).
- Disposition of application: OST will generally issue a foreign aircraft permit if it finds that the proposed operations meet the requirements of Part 375 and are in the public interest. In reaching this determination, OST will consider:
  - (1) the extent to which the country of the applicant's nationality deals with U.S. civil aircraft operators on the basis of substantial reciprocity,
  - (2) FAA safety recommendation, and
  - (3) any other factors germane to a particular application, to include merits of public comments.

# Part 375 Application and Process



- Time to process application is approximately 2-3 weeks but can be expedited in exigent circumstances; duration of grant of authority varies.
- Operator must comply with Part 375 general requirements (Subpart C), Part 107, all applicable FAA orders and regulations, and all TSA security requirements.



# NAFTA Blanket Permit

- In 1997, OST issued a blanket foreign aircraft permit to Canadian and Mexican foreign civil aircraft operators conducting 14 NAFTA-approved specialty air services. See DOT Order 97-7-3.
- Permit also applies to Canadian and Mexican sUAS operations.
- Operator must comply with Part 375 general requirements (Subpart C), Part 107, all applicable FAA orders and regulations, and all TSA security requirements.