

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

# CERTIFICATE OF WAIVER OR AUTHORIZATION

ISSUED TO

**AeroVista Innovations, Responsible Person: Brendan Stewart  
Waiver Number: 107W-2017-04779**

ADDRESS

**745 Golf Rd  
Waukegan, IL 60087**

This certificate is issued for the operations specifically described hereinafter. No person shall conduct any operation pursuant to the authority of this certificate except in accordance with the standard and special provisions contained in this certificate, and such other requirements of the Federal Aviation Regulations not specifically waived by this certificate.

OPERATIONS AUTHORIZED

Small unmanned aircraft system (sUAS) operations over human beings in accordance with the Aerotain AG Pilot's Operating Handbook and Aerotain AG Test Data.

LIST OF WAIVED REGULATIONS BY SECTION AND TITLE

**14 CFR § 107.39 Operation over human beings.**

### STANDARD PROVISIONS

1. A copy of the application made for this certificate shall be attached and become a part hereof.
2. This certificate shall be presented for inspection upon the request of any authorized representative of the Federal Aviation Administration, or of any State or municipal official charged with the duty of enforcing local laws or regulations.
3. The holder of this certificate shall be responsible for the strict observance of the terms and provisions contained herein.
4. This certificate is nontransferable.

NOTE—This certificate constitutes a waiver of those Federal rules or regulations specifically referred to above. It does not constitute a waiver of any State law or local ordinance.

### SPECIAL PROVISIONS

Special Provisions Nos. 1 to 18, inclusive, are set forth on the attached pages.

This Certificate of Waiver is effective from November 20, 2017 to November 30, 2021, inclusive, and is subject to cancellation at any time upon notice by the Administrator or an authorized representative.

**BY DIRECTION OF THE ADMINISTRATOR**

**General Aviation and Commercial Division (AFS-800)**

## SPECIAL PROVISIONS ISSUED TO Aerovista

### General.

The Federal Aviation Administration's (FAA) Flight Standards Service has reviewed your application to ensure compliance with the requirements of Title 14, Code of Federal Regulations (14 CFR) § 107.200. The Administrator finds that the proposed small unmanned aircraft system (sUAS) operation can be conducted safely under the provisions of this Certificate of Waiver (Waiver) as listed below, because you have established adequate mitigations for risks involved with operating your sUAS in the manner you described. In addition to the application, the FAA used the following documents to analyze and approve this Waiver and its associated provisions: Aerotain AG Pilot's Operating Handbook (POH) and Aerotain AG Test Data. Adherence to the provisions of this Waiver establishes the required level of safety within the National Airspace System.

This Waiver may be canceled at any time by the Administrator, the person authorized to grant the Waiver, or the representative designated to monitor a specific operation. As a general rule, this Waiver may be canceled when it is no longer required, there is an abuse of its provisions, or when unforeseen safety factors develop. Failure to comply with any provision listed below is a violation of the terms of this Waiver and may serve as justification for cancellation.

**List of Regulations Waived by Section and Title.** The following regulations are waived:

**14 CFR § 107.39 Operations over human beings** is waived to allow sUAS operations over human beings.

**Common Provisions.** For purposes of this Waiver, Direct Participants are human beings directly participating in the operation of the sUAS. These include the remote Pilot in Command (PIC), Visual Observer (VO), Sensor Operator, and other personnel who are designated by the remote PIC as necessary for the safe operation of the small unmanned aircraft (sUA).<sup>1</sup> The Responsible Person is directly responsible for safety of operations conducted under this Waiver and will ensure Direct Participants in the sUAS operation comply with all provisions of this Waiver.

1. The Responsible Person listed on the Waiver is responsible for the safe conduct of the operations. Prior to conducting operations that are the subject of this Waiver, the responsible person:
  - a. Must ensure all Direct Participants are informed of the terms and provisions of this Waiver and the strict observance of the terms and provisions herein,
  - b. Must ensure all Direct Participants are informed and familiar with part 107 regulations not waived, and
  - c. The Responsible Person must keep a log of the communications that establish compliance with paragraphs 1(a) and 1(b). This log must be presented for inspection upon request by the Administrator or an authorized representative.

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<sup>1</sup> For purposes of this Waiver, the FAA considers anyone who is not a Direct Participant to be a "Nonparticipant."

2. This Waiver must not be combined with any other waiver(s), authorizations(s), or exemption(s) without specific, prior authorization;
3. The FAA has the authority to cancel or delay any or all flight operations in order to maintain safety or to ensure compliance with the terms of this Waiver;
4. Operations under this Waiver are to be conducted in Class G airspace only unless specific airspace authorization or waiver is received from the FAA in accordance with §107.41;
5. The Responsible Person listed on this Waiver must maintain a current list of sUA by registration number(s) used in the Responsible Person's operations. The Aerotain Skye LTA is the only sUAS approved for use for operations conducted in accordance with this Waiver. The list of sUA(s) must be presented for inspection upon request by the Administrator or an authorized representative;
6. The Responsible Person listed on this Waiver must maintain a current list of remote pilots by name and remote pilot certificate number used in the Responsible Person's operations. This list must be presented for inspection upon request by the Administrator or an authorized representative;
7. A copy of this Waiver must be available during the sUAS operations that are the subject of this Waiver;

#### **§ 107.39 Operations Over Human Beings Special Provisions.**

8. Operations over all human beings (including Nonparticipants) are permitted;
9. Operations conducted under this Waiver may only occur with the Aerotain Skye LTA. Operating any other sUA will require a new waiver application or an application to amend this Waiver;
10. Operations conducted under this Waiver may only occur with the sUA tethered as described in the waiver application and manufacturer's POH;
11. Operations conducted under this Waiver are limited to 25 meters or 83 feet as described in the waiver application;
12. If a discrepancy exists between the special provisions in this Waiver and the procedures outline in the waiver application, the provisions herein take precedence and must be followed. Otherwise, the Responsible Person must follow all procedures as described in the waiver application;
13. If the intended operation would be contrary to or obviate a common or special provision of this Waiver, the Responsible Person must apply for an amendment to this Waiver;
14. Direct Participants must be easily identifiable visually (e.g., apparel, safety vests);
15. The Responsible Person must maintain the sUAS and its components in accordance with manufacturer's instructions. The aircraft manufacturer may provide the maintenance program, or, if one is not provided, the Responsible Person must develop one prior to

performing sUA operations that are the subject of this Waiver. sUAS maintenance includes scheduled and unscheduled overhaul, repair, inspection, modification, replacement, and system software upgrades of the sUAS and its components that are necessary for flight. Each sUAS operated under this Waiver must comply with all manufacturer safety bulletins. Records of this maintenance must be retained for 90 days after the expiration date of the Waiver;

16. Any sUAS that has undergone maintenance that affects the sUAS operation or flight characteristics (e.g., replacement of a flight critical component), must undergo a functional test flight prior to conducting operations under this Waiver;
17. The remote PIC is responsible for halting or canceling operations if, at any time, the safety of human beings or property on the ground or in the air is in jeopardy, or if there is a failure to comply with the provisions of this Waiver;
18. Records shall be retained for a period of 90 days after the expiration date of the Waiver. The Responsible Person shall keep at its principal place of business or at other places approved by the Administrator and shall make available for inspection by the Administrator the following:
  - a. Name of Operator, Responsible Person, Waiver number and Aircraft registration number;
  - b. All operating locations, to include location city/name and latitude/longitude;
  - c. Number of flights (per location, per aircraft);
  - d. Total aircraft operational hours;
  - e. Average altitude of flights;
  - f. Equipment malfunctions. Reportable malfunctions including, but not limited to the following:
    - i. Onboard flight control system;
    - ii. Navigation system;
    - iii. Powerplant failure in flight;
    - iv. Electrical system failure;
    - v. Control station failure; and
    - vi. Any failure or malfunction that was followed by a ground collision.
  - g. The number and duration of lost link events per sUA per flight;
  - h. Any persons impacted by the sUAS; and
  - i. Descriptions of any injuries that anyone suffers as a result of an impact with the sUA.