

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

**CERTIFICATE OF WAIVER**

**Issued To: UPS Flight Forward Inc.**  
**Responsible Party: James Ackerson**  
**Waiver Number: 107W-2019-04958**

**Address:**  
**311 Clark Station Rd Ste 102**  
**Fisherville, KY 40023**

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 for the purpose of 135 certification, beyond the visual line of sight of the remote pilot in command (PIC) and Visual Observer (VO), in lieu of visual line of sight (VLOS) and sUAS operations over human beings.

LIST OF WAIVED REGULATIONS BY SECTION AND TITLE

**14 CFR § 107.31—Visual line of sight aircraft operation**  
**14 CFR § 107.39—Operation over people, and**  
**14 CFR § 107.33(b) and (c)(2) — Visual observer**

**STANDARD PROVISIONS**

1. A copy of the application made for this certificate shall be attached to and become a part hereof.
2. This certificate shall be presented for inspection upon the request of any authorized representative of the Administrator 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 27, inclusive, are set forth on the attached pages.

This Certificate of Waiver is effective from September 19, 2019 to September 30, 2020 and is subject to cancellation at any time upon notice by the Administrator or an authorized representative.

**Office of the Executive Director**

**Flight Standards Service**

**SPECIAL PROVISIONS ISSUED TO**  
**UPS Flight Forward Inc.**

**General**

The FAA's Flight Standards Service has reviewed your application to ensure compliance with the requirements of 14 CFR § 107.200. The Administrator finds that the proposed 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. 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 § 107.31**, Visual line of sight aircraft operation, is waived to allow operation of the small unmanned aircraft (sUA) beyond the direct visual line of sight of the remote pilot in command (PIC) and any visual observer (VO) who is participating in the operation.
- 14 CFR § 107.33(b) and (c) (2)**, is waived to the extent necessary to allow operation of the small unmanned aircraft (sUA) when any VO who is participating in the operation may not be able see the unmanned aircraft in the manner specified in §107.31.
- 14 CFR § 107.39**, Operations over human beings is waived to allow sUA operations over human beings who are not direct participants, necessary for the safe operation of the small unmanned aircraft.

No part of this waiver will function as an airspace authorization under 14 CFR § 107.41. The FAA's Air Traffic Organization responds directly to such requests.

**Common Special Provisions.** The Responsible Person is directly responsible for safety of operations conducted under this Waiver and will ensure the remote PIC, manipulator of the controls, and VO(s)<sup>1</sup> comply with all provisions of this Waiver.

1. The Responsible Person listed on the Waiver is responsible to the FAA for the safe conduct of the operations. Prior to conducting operations that are the subject of this Waiver, the responsible person:
  - a. Must ensure the remote PIC, manipulators of the controls, and VO(s) are informed of the terms and provisions of this Waiver and strictly observe the terms and provisions herein;

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<sup>1</sup> Title 14 CFR § 107.3 defines the term "visual observer." Any VO participating in operations conducted under this Waiver must meet the requirements listed in § 107.33 throughout the duration of flight operations.

- b. Must ensure the remote PIC, manipulators of the controls, and VO(s) are informed and familiar with part 107 regulations; and
  - c. Evidence of the above (a and b) must be documented and must be presented for inspection upon request from the Administrator or an authorized representative;
2. This Waiver may not be combined with any other waiver(s), authorization(s), or exemption(s) without specific authorization from the FAA;
3. The FAA has the authority to cancel or delay any or all flight operations if the safety of persons or property on the ground or in the air are in jeopardy or there is a violation of the terms of this Waiver;
4. A copy of this Waiver must be accessible and available to the Remote Pilot in Command (remote PIC) at the ground control station during sUAS operations that are the subject of this Waiver;
5. The Responsible Person listed on this Waiver must maintain a current list of pilots by name and remote pilot certificate number used in operations under this Waiver. This list must be presented for inspection upon request from the Administrator or an authorized representative;
6. The Responsible Person listed on this Waiver must maintain a current list of small unmanned aircraft (sUA) by registration number(s) used in the Waiver holder's operations. This list must be presented for inspection upon request from the Administrator or an authorized representative;
7. For the purposes of this Waiver, Direct Participants are the remote pilots in command (PICs), persons manipulating the controls, visual observers (VOs), and any persons whose involvement is necessary for safety of the sUAS operation. All other persons are considered non-participants;

**Waiver Specific Special Provisions.** sUAS operations beyond the visual line of sight (BVLOS) of the remote PIC and VO(s) and over human beings may be conducted under this waiver when the operation complies with the following provisions:

#### **OPERATIONAL PROVISIONS**

8. Operations under this Waiver must utilize one or more VO(s);
9. The remote PIC must ensure sufficient VO(s) are used to observe the airspace to detect and track all air traffic or hazards;
10. Individuals directly participating in the operation of the sUAS must be easily identifiable visually (e.g., apparel, safety vests);
11. The Responsible Person must ensure all operations conducted under this Waiver follow the procedures in the UPS Flight Forward (UPS FF) General Operations Manual (GOM);
12. The Responsible Person listed on this Waiver must ensure each remote PIC who will conduct operations under this Waiver is trained in accordance with the UPS FF Flight Training Manual;

13. Prior to operations under this Waiver, a briefing must occur in accordance with the UPS FF GOM;
14. Communication between the remote PIC and VO must be in accordance with the UPS FF GOM;
15. No sUA flight that occurs under this waiver may carry the property of another for compensation or hire;

## **TECHNICAL PROVISIONS**

16. Operations conducted under this Waiver may only occur with the M2V9 sUAS;
17. All sUAS operations conducted in accordance with this Waiver must adhere to all manufacturer guidelines, recommendations and limitations contained in the M2V9 Unmanned Flight Manual (UFM);
18. Any sUAS maintenance, modification to the sUAS design , repair, or replacement of damaged components must be in accordance with the M2V9 Unmanned Maintenance Manual (UMM) and UPS FF General Maintenance Manual (GMM);
19. If required, functional test flight may only be conducted under the standard requirements of part 107 (without waiver);
20. The sUA must be equipped with high visibility markings and lighting to increase the conspicuity of the sUA;
21. If the remote PIC loses command or control link with the sUA, the RPIC must follow the procedures in the accepted UPS FF GOM;
22. ADS-B out (1090/978 MHz) may not be transmitted from the sUAS when operating pursuant to this Waiver;
23. All emitters used in sUAS must be in compliance with all applicable FCC regulations and all provisions of the FCC authorization granted for the emitter. A FCC experimental authorization may not be used for sUAS operations under this Waiver;

## **ENVIRONMENTAL PROVISIONS**

24. For operations over non-participating human beings, the sUA parachute system must be operational and the sUA must be operated at a suitable altitude that would not cause hazard to persons or property on the surface;
25. The sUA must not sustain operations over any person who is not directly participating in the operation. Overflight of open air assemblies of persons is prohibited;
26. sUA operations pursuant to this Waiver may not occur when wind speed exceeds 11 mph; and
27. Operations conducted under this Waiver are limited to the location and route of flight described in the waiver application.