

enforcement to report suspected operation of unmanned aircraft in violation of applicable Federal laws and regulations.

“(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of the FAA Reauthorization Act of 2018 [Oct. 5, 2018], and annually thereafter through the duration of the pilot program established in subsection (a), the Administrator shall submit to the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives] a report on the following:

“(1) The number of unauthorized unmanned aircraft operations detected in restricted airspace, including in and around airports, together with a description of such operations.

“(2) The number of enforcement cases brought by the Federal Aviation Administration or other Federal agencies for unauthorized operation of unmanned aircraft detected through the program, together with a description of such cases.

“(3) Recommendations for safety and operational standards for unmanned aircraft detection and mitigation systems.

“(4) Recommendations for any legislative or regulatory changes related to mitigation or detection or identification of unmanned aircraft systems.

“(d) SUNSET.—The pilot program established in subsection (a) shall terminate on May 10, 2024.

“(e) CIVIL PENALTIES.—[Amended section 46301 of this title.]

“(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue an enforcement action for a violation of this subtitle or any other applicable provision of aviation safety law or regulation using remote detection or identification or other technology following the sunset of the pilot program.”

§ 44811. Beyond visual line of sight operations for unmanned aircraft systems

(a) PROPOSED RULE.—Not later than 4 months after the date of enactment of the FAA Reauthorization Act of 2024, the Administrator shall issue a notice of proposed rulemaking establishing a performance-based regulatory pathway for unmanned aircraft systems (in this section referred to as “UAS”) to operate beyond visual line of sight (in this section referred to as “BVLOS”).

(b) REQUIREMENTS.—The proposed rule required under subsection (a) shall, at a minimum, establish the following:

(1) Acceptable levels of risk for BVLOS UAS operations, including the levels developed pursuant to section 931 of the FAA Reauthorization Act of 2024.

(2) Standards for remote pilots or UAS operators for BVLOS operations, taking into account varying levels of automated control and management of UAS flights.

(3) An approval or acceptance process for UAS and associated elements (as defined by the Administrator), which may leverage the creation of a special airworthiness certificate or a manufacturer’s declaration of compliance to a Federal Aviation Administration accepted means of compliance. Such process—

(A) shall not require, but may allow for, the use of type or production certification;

(B) shall consider the airworthiness of any UAS that—

(i) is within a maximum gross weight or kinetic energy, as determined by the Administrator; and

(ii) operates within a maximum speed limit as determined by the Administrator;

(C) may require such systems to operate in the national airspace system at altitude limits determined by the Administrator; and

(D) may require such systems to operate at standoff distances from the radius of a structure or the structure’s immediate uppermost limit, as determined by the Administrator.

(4) Operating rules for UAS that have been approved or accepted as described in paragraph (3).

(5) Protocols, if appropriate, for networked information exchange, such as network-based remote identification, in support of BVLOS operations.

(6) The safety of manned aircraft operating in the national airspace system and consider the maneuverability and technology limitations of certain aircraft, including hot air balloons.

(c) FINAL RULE.—Not later than 16 months after publishing the proposed rule under subsection (a), the Administrator shall issue a final rule based on such proposed rule.

(d) SAVINGS CLAUSE.—Nothing in this section shall be construed to require the agency to rescop any rulemaking efforts related to UAS BVLOS operations that are ongoing as of the date of enactment of the FAA Reauthorization Act of 2024.

(Added Pub. L. 118–63, title IX, §930(a), May 16, 2024, 138 Stat. 1366.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the FAA Reauthorization Act of 2024, referred to in subsecs. (a) and (d), is the date of enactment of Pub. L. 118–63, which was approved May 16, 2024.

Section 931 of the FAA Reauthorization Act of 2024, referred to in subsec. (b)(1), is section 931 of Pub. L. 118–63, which is set out as a note under section 44801 of this title.

§ 44812. Temporary flight restrictions for unmanned aircraft

(a) IN GENERAL.—

(1) TEMPORARY FLIGHT RESTRICTIONS.—The Administrator of the Federal Aviation Administration shall, upon the request by an eligible entity, temporarily restrict unmanned aircraft operations over eligible large public gatherings.

(2) DENIAL.—Notwithstanding paragraph (1), the Administrator may deny a request for a temporary flight restriction sought under paragraph (1) if—

(A) the temporary flight restriction would be inconsistent with aviation safety or security, would create a hazard to people or property on the ground, or would unnecessarily interfere with the efficient use of the airspace;

(B) the entity seeking the temporary flight restriction does not comply with the requirements in subsection (b);

(C) the eligibility requirements in subsections (c) and (d) have not been met;

(D) a flight restriction exists to the airspace overlying the same location as the temporary flight restriction sought under this section; or

(E) the Administrator determines appropriate for any other reason.

(b) REQUIREMENTS.—

(1) ADVANCE NOTICE.—Eligible entities may only request a temporary flight restriction under subsection (a) not less than 30 calendar days prior to the eligible large public gathering.

(2) REQUIRED INFORMATION.—Eligible entities seeking a temporary flight restriction under this section shall provide the Administrator with all relevant information, including the following:

(A) Geographic boundaries of the stadium or other venue hosting the eligible large public gathering, as applicable.

(B) The dates and anticipated starting and ending times for the large public gathering.

(C) Points of contact for the requesting eligible entity and the on-scene incident command responsible for securing the large public gathering.

(D) Any other information the Administrator considers necessary to establish the restriction.

(c) ELIGIBLE LARGE PUBLIC GATHERINGS.—

(1) IN GENERAL.—To be eligible for a temporary flight restriction under this section, large public gatherings hosted in a stadium or other venue shall—

(A) be hosted in a stadium or other venue that—

(i) has previously hosted events qualifying for the application of special security instructions in accordance with section 521 of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (Public Law 108-199);¹ and

(ii) is not enclosed;

(B) have an estimated attendance of at least 30,000 people; and

(C) be advertised in the public domain.

(2) ADDITIONAL GATHERINGS.—To be eligible for a temporary flight restriction under this section, large public gatherings hosted in a venue other than a stadium or other venue described in paragraph (1)(A) shall—

(A) have an estimated attendance of at least 100,000 people;

(B) be primarily outdoors;

(C) have a defined and static geographical boundary; and

(D) be advertised in the public domain.

(d) ELIGIBLE ENTITIES.—An entity eligible to request a temporary flight restriction under subsection (a) shall be a credentialed law enforcement organization of the Federal Government or a State, local, Tribal, or territorial government.

(e) TIMELINESS.—The Administrator shall make every practicable effort to assess eligibility and establish temporary flight restrictions under subsection (a) in a timely fashion.

(f) PUBLIC INFORMATION.—Any temporary flight restriction designated under this section shall be published by the Administrator in a publicly accessible manner at least 2 days prior to the start of the eligible large public gathering.

(g) PROHIBITION ON OPERATIONS.—No person may operate an unmanned aircraft within a temporary flight restriction established under this section unless—

(1) the Administrator authorizes the operation for operational or safety purposes;

(2) the operation is being conducted for safety, security, or compliance oversight purposes and is authorized by the Administrator; or

(3) the aircraft operation is conducted with the approval of the eligible entity.

(h) SAVINGS CLAUSE.—Nothing in this section may be construed as prohibiting the Administrator from authorizing the operation of an aircraft, including an unmanned aircraft system, over, under, or within a specified distance from an eligible large public gathering for which a temporary flight restriction has been established under this section or cancelling a temporary flight restriction established under this section.

(i) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prevent the Administrator from using existing processes or procedures to meet the intent of this section.

(Added Pub. L. 118-63, title IX, §935(a), May 16, 2024, 138 Stat. 1370.)

Editorial Notes

REFERENCES IN TEXT

Section 521 of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (Public Law 108-199), referred to in subsec. (c)(1)(A)(i), probably means section 521 of title V of div. F of Pub. L. 108-199, which is set out as a note under section 40103 of this title. The Act is comprised of div. F of Pub. L. 108-199.

§ 44813. Center of Excellence for Unmanned Aircraft Systems

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall continue operation of the Center of Excellence for Unmanned Aircraft Systems (referred to in this section as the “Center”).

(b) RESPONSIBILITIES.—The Center shall carry out the following responsibilities:

(1) Conduct applied research and training on the safe and efficient integration of unmanned aircraft systems and advanced air mobility into the national airspace system.

(2) Promote and facilitate collaboration among academia, the Federal Aviation Administration, Federal agency partners, and industry stakeholders (including manufacturers, operators, service providers, standards development organizations, carriers, and suppliers), with respect to the safe and efficient integration of unmanned aircraft systems and advanced air mobility into the national airspace system.

(3) Establish goals set to advance technology, improve engineering practices, and facilitate continuing education with respect to

¹ See References in Text note below.