

UAS Enforcement Q&A

Q: How will the FAA become aware of non-compliance with the sUAS registration requirements?

A: ASIs may encounter sUAS in performing surveillance or responding to accidents, incidents, occurrences, or complaints reported to the FSDO. ASH Special Agents may receive information from law enforcement relating to unauthorized and/or unsafe operation of sUAS which will be shared with AFS. Media reports may also be an initial source of information.

Q: Does the FAA have inspectors whose main function is to inspect UAS for proper registration?

A: No, UAS registration inspection will not be the primary function of an ASI or Special Agent however, the FAA follows up on all reports of aircraft being operated in an unsafe manner and registration is a material matter which will be examined when identified.

Q: What action will be taken when the FAA becomes aware of someone operating an unregistered sUAS?

A: The FAA has multiple options available for enforcing FAA regulations. These range from education to administrative actions (in the form of a formal warning notice or letter of correction) to the ability to assess civil penalties up to \$27,500. Criminal penalties include fines of up to \$250,000 and/or imprisonment for up to three years.

Q: Will the FAA impose fines for all instances involving the operation of unregistered UAS?

A: There is no one-size-fits-all enforcement action for violations. All aspects of a violation will be considered along with mitigating and aggravating circumstances surrounding the violation. In general, the FAA will attempt to educate operators who fail to comply with registration requirements. However, fines will remain an option when egregious circumstances are present.

Q: If I register my drone and lend it to someone else who operates it in an unsafe manner, am I liable for any violations he/she commits while using my drone?

A: Laws governing liability for damage caused by drones vary by state. If the individual operating your drone is a minor, in some states you might have some liability if the drone causes damage. For federal civil aviation law purposes, the operator of the drone is liable for its use.

Q: Must I cooperate with any Federal, State or local law enforcement officer if asked to provide proof of registration?

A: Yes, a Certificate of Aircraft Registration must be carried by the operator of the UAS and made available to law enforcement and/or the FAA upon request. If you are asked to show your certificate of registration, you can show it electronically, you do not need to print the certificate.

Q: Will a foreign citizen flying an unregistered drone in the US be subject to enforcement?

A: Yes. All UAS greater than 0.55 lbs being operated in the US must be registered or they will be subject to enforcement. If a foreign UAS is similarly registered in another country, it may be operated in the US provided the operator can present sufficient registration documentation.

Q: The new rule says that only American citizens will be allowed to register, does that mean that non-citizens cannot legally operate model aircraft in the US?

A: No. A UAS may also be registered by a foreign citizen with permanent residence in the US. Also, foreign citizens who hold a valid registration from another country can operate in the US. A foreign national may also register their aircraft as a recognition of ownership.