

TCCA proposal, May 23,2018

Stakeholders were invited to hear TCCA's proposal on the future of drone regulations. Below is a rundown of these regulations presented on May 23 in Ottawa. These will go to Gazette II before the end of the year. It is important to note that these will form the recommendations to Treasury Board ministers and as such are not final or official until they are published in the Gazette.

Two Operating Categories:

- Weight classes abolished. Will be based on type of operation:
- Limited: Not near or over people unassociated with the flight (> 30m), not in controlled airspace;
- Complex: Near (< 30m) people unassociated with the flight and/or in controlled airspace.
- Flights over large, public assemblies will be subject to a Special Flight Operations Certificate (SFOC);
- No differentiation for commercial vs. recreational ops;
- There will be an exemption for model aircraft flyers;
- Changing terminology from UAV to RPAS – Remotely Piloted Aerial Systems. Unmanned Aerial System too gender-specific and not inclusive enough.

Rules for Drone Pilots:

- Subject to new licensing regime based on the category of operation (Limited or Complex);
- Provisions for underaged persons to fly under supervision of a license holder;
- New online portal will contain pilot registration, drone registration, license exam, and study material;
- Removing requirement for third-party liability insurance;
- Different open-book, online tests depending on category of operation;

- At least 80 percent requirement to pass exam;
- Subject to two-year recency requirements;
- RPAS operators will be required to be in possession of their certificate while operating the unit;
- Complex operators will have to undergo a flight review with a government-approved examiner;
- No mandated requirement for classroom training (one can challenge the exam);
- Holders of a regular pilot license would not be exempted, must take RPAS exam for type of operation unless exempted under the Model Aircraft clause.

Rules for Drone Construction and Design:

- RPAS will be required to be registered with TCCA but not marked, due to privacy issues (for units 250g-25kg);
- Will not establish strict design standards, but will adopt industry-promoted SAFE criteria for RPAS used in complex operations (Safety-Assured Flight Envelope);
- Removing grandfather clause for future platforms. Those currently grandfathered will only be compliant for the life of that unit.

Rules for Safety:

- Speed limits removed;
- Distance limit from operator removed. Must be within visual line of sight (VLOS) and maintain VFR at all times;
- Maximum altitude of 400 feet AGL except in controlled airspace, then within the limits of the ATC clearance;
- If assigned higher by ATC, must remain within VLOS;
- Night operations will be authorized once requirements for VLOS and lighting are determined;
- Removed all references to built-up and urban areas. Will go solely on distance relative to people (people in the open, not people inside a building or vehicle);

- Aerodromes:
- No entry into controlled airspace except with an ATC clearance;
- To remain three nm from the center of an uncontrolled airport;
- To remain outside the published circuit pattern and approach path of an uncontrolled aerodrome or water aerodrome;
- To remain one nm from the center of a heliport;
- Manned aircraft have the right of way;
- CFS/CWS will be guiding document for location of aerodromes.