Comments on the European Commission Proposals (October 2018)

Forewords

With over half a million pilots throughout Europe, Aeromodelling plays a central role in ensuring competitiveness and innovation in the aviation sector. Aeromodelling is typically the first entrance for youth to the fascination of flying. It has repeatedly shown itself to be a driver of innovation (electrification of aviation) and provides a market for testing and large-scale deployment of innovative aviation products, including battery technology.

Restricting aeromodelling will worsen Europe's shortage of pilots and aviation engineers, and slow down innovation and competitiveness in the aviation sector. The European Commission proposals seriously threaten the future of aeromodelling. The following changes must be made to the drafts to avoid this.

Concerning about:

On the rules and procedures for the operation of unmanned aircraft - Ares(2018)5119803´

Article 4 - 'Open' category of UAS operations

Recital 1(e)

STATEMENT: Operations shall be classified as UAS operations in the open category only where the following requirements are met: (e) 'The maximum flight distance from the surface shall be no more than 120 meters, except when overflying an obstacle, as specified in Part A of the Annex.'

PROPOSE: Change statement to:

'The maximum height shall be no more than 120 meters above the surface from take-off point or operator position, except when overflying an obstacle, as specified in Part A of the Annex.'

NOTE: Sensors currently available measure altitude from take-off point or from the position of the operator. In addition, when flying in slopes or mountainous areas, pilots should not be forced to drop below the pilot's position because of elevations in the terrain. It is essential that any height limit is defined in relation to the starting point or operator position (vertically) and VLOS horizontally.

Article 9 - Minimum age for remote pilots

Recital 1(b)

STATEMENT: 'The minimum age for remote pilots in the open category shall be: 18 years when operating in subcategory A2 or A3 as specified in Part A of the Annex.'

PROPOSE: Any age limitation should be removed.

NOTE: Mandatory age limits make no sense and restrict access of youth to the fascination of aviation, jeopardizing Europe's future competitiveness and innovation. The imposition of any age limits should fall within the Member State's competence. Flying home built UAS aircrafts (model aircrafts) is often a hobby of young persons with great skill levels.

Article 14 - Registration of UAS operators and certified UAS

Recital 5

STATEMENT: 'UAS operators shall register themselves in accordance with Part A or Part B of the Annex when operating a unmanned aircraft'.

PROPOSE: Change statement to:

'Operators of UAS in the open and specific category shall register themselves in accordance with Part A or Part B of the Annex'

NOTE: It should be made clear that the registration requirement does not apply to operators of model aircraft activities authorised under Article 16 (model clubs and associations).

Article 16 - UAS operations in the framework of model aircraft clubs and associations

Recital 2

STATEMENT: 'The operational authorisation shall specify the conditions under which the model aircraft club or association may continue their activities, and shall be limited to the territory of the Member State in which it is issued'.

PROPOSE: Change statement to:

'The operational authorisation shall specify the derogations from this Regulation and the conditions under which activities in the framework of the model aircraft club or association may be continued. It shall be limited to the territory of the Member State in which it is issued.'

NOTE: It's not the club or association that performs activities, but their members and guests. In this context, it's important that the phrasing of the exemption for clubs and associations is not limited to members of those clubs or associations only, as it should also apply to for instance guest pilots in international competitions (which are held very frequently). In line with the title of Article 16, this provision should apply to "activities in the framework of", not "members of". What "in the framework of" means is to be decided by the national authorities.

Concerning about:

ANNEX, PART A, UAS OPERATIONS IN THE '*OPEN*' CATEGORY

UAS.OPEN.010 General provisions

Recital (2)

STATEMENT: 'Where the UAS operation involves the flight of the UA starting from a natural elevation in the terrain or over terrain with natural elevations, the UA shall remain at a maximum distance of 120 meters from the surface of the earth.'

PROPOSE: This statement should be removed as height limit is specified in On the rules and procedures Article 4 recital 1(e).

NOTE: Statement would basically end flying in slopes and mountainous areas where level of the ground varies dramatically in short distances.

UAS.OPEN.040 General provisions

Recital (1)

STATEMENT: UAS operations in subcategory A3 shall (1) 'be conducted in an area where the remote pilot reasonably expects that no uninvolved person will be present within the range where the UA will be flown during the entire time of the UAS operation'

PROPOSE: Change statement to:
(1) 'be conducted in such a way that the UA may overfly uninvolved people provided they are not endangered but not an open-air assembly of people.'

NOTE: Especially here in Finland, at the winter time we fly from icy lakes and there might come people trekking and/or passing by in a same area.

UAS.OPEN.070 Responsibilities of the remote pilot

Recital 3(a)

STATEMENT: During the flight, remote pilots and UAS operators shall: (a) 'not use the UA to drop any material or to carry or drop dangerous goods [...]'

PROPOSE: Modify statement to:

(a) 'not use the UA to carry or drop dangerous goods [...]'

NOTE: Statement prohibits dropping of "any material". This also covers candy drops at air shows, as well as parachutes.