



News & Update

Section 333 vs. Part 107: What Works for You?

The Federal Aviation Administration's (FAA) new small drone rule – formally known as Part 107 – is effective on August 29. You may also be wondering what happens to your Section 333 exemption grant or petition for exemption.

The biggest question is whether you are better off flying under the provisions of Part 107, or should continue using your existing exemption? Your exemption is valid until it expires – usually two years after it was issued. Even after Part 107 becomes effective, you may choose to fly following the conditions and limitations in your exemption.

However, if you want to operate under the new Part 107 regulations, you'll have to obtain a remote pilot certificate and follow all of the rule's operating provisions. You must apply for a waiver if some parts of your operation don't meet the rule's requirements.

If you already have a Certificate of Waiver or Authorization under your Section 333 exemption – a "COA" – you can continue to fly under the COA limitations until it expires. If you don't already have a COA, you probably won't need one when the new drone rules go into effect.

However, if you want to fly in controlled airspace, you will need permission from FAA air traffic control. Details about obtaining that permission will be online at www.faa.gov/uas when the small drone rule is effective on August 29, 2016.

If you applied for a Section 333 exemption but haven't received it yet, you should have received a letter from the FAA with specific information about the status of your petition. Generally, if your petition is pending and falls within the provisions of the rule, you should follow the steps outlined in the rule.

Whether you choose to fly under your exemption or under the new small drone rule is your choice, depending on how you want to operate your aircraft. You'll have to compare the conditions and limitations in your exemption to the operating requirements in the rule to determine which one best addresses your needs.