

*The FAA's response to FPV anywhere within the boundaries of the United States is direct and to the point: if a drone is "flown under Public Law 112-95 Section 336 (hobby and recreation), First Person View is prohibited."*

*Public Law 112-95, Section 336 is titled "The Special Rule for Model Aircraft". Section 336 defines a model aircraft as an unmanned aircraft that is;*

- 1. Capable of sustained flight in the atmosphere*
- 2. Flown within visual line-of-sight of the person operating the aircraft*
- 3. Flown for hobby or recreational purposes*

*The specific legal reference within 112-95, Section 336 is "Flown within visual line-of-sight of the person operating the aircraft". Courts in the United States utilize the legal "Plain Meaning or Literal Rule" i.e., public, or statutory, laws "are to be interpreted using the ordinary meaning of the language of the statute". Therefore, the legally accepted plain meaning or literal interpretation of the above reference; "the person operating the aircraft must maintain direct, unimpeded, visual sight of the aircraft". All enforcement agencies in the United States Government, including the FAA, utilize this interpretation.*

*The next fact is that for model airplane purposes there are three airspaces defined within the boundaries of the United States;*

- 1. Washington D.C. Flight Restriction Zone (FRZ) (15 mile radius from Reagan National) No model aircraft are allowed to fly*
- 2. Washington D.C. Special Flight Rules Area (SFRA) (30 mile radius from Reagan National) Model aircraft are allowed to fly within the parameters detailed in the special NOTAM 160210*
- 3. Rest of the United States; Model aircraft are allowed to fly within the parameters of Public Law 112-95, Section 336 as stated.*

*It is a known fact that outside the SFRA the FAA does not actively enforce the law, and many times turns a blind eye, when it comes to FPV. That is because outside the SFRA the FAA, with few exceptions, has sole jurisdiction over the airspace and, therefore, can be discretionary.*

*Inside the SFRA the enforcement of the law is multi-jurisdictional, i.e. FAA, DOD, DHS, FBI, Secret Service and Capitol Police. The SFRA is designated as “National Security Airspace” and each of these agencies has a role to play in the protection of the SFRA airspace; they take this responsibility very seriously and each of them interprets the law and NOTAM literally.*

*It is because of the wording of the public law and its literal interpretation by this multi-jurisdictional law enforcement that FPV is expressly prohibited within the SFRA, no exceptions. To secure our ability to fly within the SFRA the FAA had to negotiate with each of the agencies listed above on the content of NOTAM 160210 and it was only after agreement was reached by all of them that the NOTAM was issued and we were allowed to resume flying. The only thing keeping NOTAM 160210 active is our willingness to honor and abide by its intended content. If anyone of these agencies determines that we are not honoring and/or abiding the NOTAM they have the right to rescind this agreement with the FAA and thus shut down all flying within the SFRA, probably permanently.*

*It must also be noted that within the SFRA our relationship with the FAA is direct and not intermediated by the AMA. Whatever agreements or relations the AMA may have with the FAA only apply outside the SFRA. From the viewpoint of the joint jurisdictional agencies within the SFRA, the AMA has no legal authority to interpret the law, or inform its members as to how to interpret the law and, therefore, is irrelevant.*