

Regulating RPAS – Where to Now?

Remotely piloted aircraft systems (RPAS), or drones as they're often called, are rapidly changing the world's airspace, and with that increased airspace traffic comes the need to ensure everything can operate safely.

For that reason, the CAA is planning to update Civil Aviation Rules, Part 101 and introduce a new Part 102. In November, we published a Notice of Proposed Rule Making (NPRM) and asked for submissions.

Steve Moore, CAA General Manager, General Aviation says over 80 submissions were received.

"We'd like to thank all those that took the time to make submissions. Consultation is important for us to ensure the rules are covering the issues at hand."

Here's a summary of some of the key themes in the submissions received.

Part 101

There is a need to ensure those engaged in lower risk operations under Part 101 are aware of their responsibilities and that they don't pose a risk to traditional manned aviation.

Steve says, "There is some concern around how people, who've traditionally been outside the aviation system, will know about the rules that apply to them, in particular around airspace requirements where they are flying their RPA."

Some submissions also raised the issues around the potential difficulties in obtaining consent to fly over property or people under the Part 101 rules.

"We intend to work with councils and other landowners to get them to start thinking about setting aside areas for RPAS use," says Steve.

Proposed Part 102

The proposed Part 102 will ensure that higher risk unmanned aircraft have appropriate regulatory oversight and don't pose a threat to aviation safety.

The new rules will put in place a certification process for operators of unmanned aircraft, while continuing to allow low-risk unmanned aircraft activity under Part 101.

There is a large, and growing, list of issues being brought to our attention. Those include maintenance requirements, overlap with other government regulatory bodies (eg, MBIE on radio spectrum issues), and how we will generally ensure safety.

"Any certificate granted under Part 102 will ensure the utmost safety of the aviation system," says Steve.

Some submissions asked why the CAA has not gone for a commercial/recreational split with the rules, as many overseas jurisdictions have.

"We have pursued a high risk/lower risk strategy, which we think is a far better representation of the risk profile of the emerging RPAS sector," says Steve.

"We believe that a commercial/recreational split is inappropriate for RPAS."

Many of the issues raised in relation to the proposed changes to Part 101 are to do with people questioning how we will educate people not traditionally part of the aviation sector.

"We are aware of the challenges that the emergence of RPAS poses to traditional aviation regulators such as the CAA. We are therefore constantly engaging with the industry and undertaking an education strategy that is seeking out non-traditional aviation users to inform them of their responsibilities," says Steve.

Next Steps

The submissions, and the CAA's responses to them, are published on the CAA web site, www.caa.govt.nz, "Policy and Rules – Rules Development More – NPRMs Closed for Submissions".

The proposed rules, amended based on feedback received, will be delivered to the Minister for sign-off shortly. ■

