

# Legal Issues and Unmanned Aerial Vehicles (UAVs or Drones)

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2015 MABA Winter Conference

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  - [twitter.com/johnmashni](https://twitter.com/johnmashni)
  - @johnmashni
- || [Bit.ly/1BZrneF](http://bit.ly/1BZrneF)
  - Link to a 2015 MABA page on Drones, with links to FAA resources, videos, news stories
  - Subscribe to our newsletter to stay up-to-date

# Spoiler Alert



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# Disaster Area



# News

 **Intel**   
@Intel

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Self-guiding #drones use Intel RealSense 3D to avoid obstacles and help you fly smarter.  
#CES2015

    



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8:18 PM - 6 Jan 2015

# What is a UAV?

- || Unmanned Aerial Vehicle
- || Unmanned Aerial System (UAS)
- || Commonly called a “Drone”
- || Potential to create new businesses and jobs
- || Current Uses:
  - Emergency and disaster management
  - Weather service tracking
  - Traffic management
- || “Game-Changer”
- || Drone market expected to surpass \$100 million in 2015

# Regulation

- In 2012, Congress told the FAA to issue rules to integrate drones into US airspace by 2015.
- Rules scheduled to be released soon (?).
- FAA estimates 7,500 unmanned aircraft over the next 5 years.
- Innovation is outpacing regulation
  - Innovation vs. Regulation (?)
- Safety is the main concern

# Current State of the Law

- FAA restricts the commercial use of drones
- Only allowed on a case-by-case basis (need express permission)
- Recreational use exception (FAA Advisory Circular 91-57)
  - Below 400 feet
  - Away from air traffic
  - Within sight of operator
  - Noncommercial use



# What is Commercial Use?

- Any use for hire or in furtherance of a business
- Non-hobby use
- Real estate photography
- Wedding photography
- Cinema/film/television production
- Mapping/land surveys
- Agricultural uses (precision farming)

# Consequences

- || Cease and Desist Letter
- || \$10,000 fine (or more)
- || Litigation
- || Publicity (good or bad?)

# Dangers and Potential for Liability

- || Danger to full-size aircraft
- || People
- || Property
  - 418 known crashes by US military since 2001
  - Crashes into homes, farms, and planes
- || Invasion of privacy

# Insurance

- Commercial/Farm Policies have a common exclusion: “aircraft”
- Is a drone an “aircraft”
  - Probably yes
- Look at your policy
- Consult with your insurance agent
- Is Invasion of Privacy covered under your policy?

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Presentation Link: <http://bit.ly/1BZrneF>

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