

I am an active member of the Academy of Model Aeronautics and competitive model aviation enthusiast. The FAA stated that the Academy of Model Aeronautics is an example of a Community Based Organization (footnote 7: “[C]ommunity-based organizations,” for example, would include groups such as the Academy of Model Aeronautics and others that meet the statutory definition”). I have been flying model aircraft for over 40 years and have been enjoying the *sport* of precision model aerobatics for the majority of my model aviation years. Model aviation is much more than a “hobby” or “diversion” to me. It is a significant part of my life. I was raised around model aviation activities. I have many, many fond memories and lasting friendships formed around the world through my involvement with model aviation and, in particular, competitive radio controlled model aerobatics. There are three primary issues which I feel must be clarified in the FAA interpretation of PUBLIC LAW 112–95—FEB. 14, 2012

1. Hobby or recreational use
2. Use of a community based organization to establish guidelines
3. Operation of model aircraft

“PUBLIC LAW 112–95—FEB. 14, 2012

The Federal Aviation Administration may not promulgate any rule or regulation regarding a model aircraft, or an aircraft being developed as a model aircraft, if—

(1) the aircraft is flown strictly for hobby or recreational use;

(2) the aircraft is operated in accordance with a community- based set of safety guidelines and within the programming of a nationwide community-based organization;”

Pursuant to items 1 and 2 in the Public Law 112-95, the FAA is adopting a very narrow interpretation for activities encompassed in item (1). It is also overlooking the impact which the Academy of Model Aeronautics, the largest community-based organization dedicated to all forms of model aviation, has on the long term safe and successful coexistence of model aviation.

The FAA stated that it is relying upon ordinary meaning for the interpretation of “hobby” or “recreational” use. However, it is attempting to restrict the definitions in an overly broad manner. Recreation, according to the Merriam-Webster dictionary is defined as follows: “: refreshment of strength and spirits after work; *also* : a means of refreshment or diversion”. The FAA relies on these definitions and places emphasis on “refreshment” and “after work”. They give little weight to the fact that recreation can also be a means of diversion.

It should be noted that Merriam-Webster defines “sport” as: “a source of diversion “. Therefore, recreational flight of model aircraft include not only those done for “refreshment of

strength and spirits” but also for those as “a means of diversion”. This would include model aircraft activities done for sport.

I am making this distinction because a large part of the focus of Academy of Model Aeronautics and the FAI (Fédération Aéronautique Internationale) is to establish rules and procedures for the large segment of model aviation involved with competition. It is extremely important to include language to explicitly allow competitive model aviation activities. I believe the current interpretation is excluding the competitive aspect. People have had model aircraft competitions since the inception of the model airplane itself. Prizes have been given to the winners and participants in the competitions and this could be interpreted as a commercial operation if the competitor had any relation to the hobby industry. The fact that model aviation has a significant sporting community seems to have been completely overlooked by the FAA. It is common in the model aviation sporting community to have sponsored pilots and industry involvement, just as with any other sporting activity such as cycling, fishing, hunting, archery, shooting, dancing, surfing, and all other common sporting events. Surely it is not the FAA’s intent to outlaw competitive model aviation and the entire model aviation industry.

Furthermore, the FAA is attempting to exclude all model aviation developmental and marketing activities. The statements “Likewise, flights that are in furtherance of a business, or incidental to a person’s business, would not be a hobby or recreation flight” are very limiting and can pose insurmountable challenges to the model aviation industry. Is it the intent of the FAA to halt all commercial development of model airplanes or equipment by corporations or individuals?

Lastly, there are broad interpretations made by the FAA with respect to the PUBLIC LAW 112–95—FEB. 14, 2012 statement:

(4) the aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft;

Model aircraft have been successfully and safely coexisting with Full Size aviation operations for many decades. The FAA recognized Community Based Organization, the Academy of Model Aeronautics (AMA), has established guidelines for the safe and effective operation of model airplanes in the National Airspace and has communicated these guidelines to the FAA.

Permanent flying sites which are sanctioned by the AMA and under AMA insurance coverage operate under strict AMA rules. Having been a past president of an AMA chapter which was made up of several AMA sanctioned clubs with a total of over 300 model aviation pilots, I know that the AMA guidelines are well proven and strongly anchored in common sense. Our flying site is under FAA Class C airspace for SNA and has operated safely for many years. Prior to that, we operated **on** the active Marine Corps Airstation in Tustin, CA and also at El Toro CA. There was not a single incident due, in part, to our adherence to AMA guidelines and cooperation

with the base command (this also included many non-aviation related support activities such as free Thanksgiving Dinners for base personnel). The AMA has proven that its guidelines and management of its member base has an impeccable track record. It is important to allow the AMA and the sanctioned clubs and fields to continue to do their own management of their operations and utilization of the airspace as they have done for several decades to date. The successful policy of “see and avoid” is not only common sense, but is unambiguous and completely effective in operating flying sites under FAA Class B or Class C airspace. Coordination between established model aviation flying sites and airports is already being done by the AMA sanctioned clubs which operate within 5 miles of an active airport and there is no need for any further regulation of these activities.

The AMA has, in addition to the guidelines referred to above, published specific guidelines for the operation of model aircraft via “first person video” systems or FPV. Their guidelines clearly lay out the operation of aircraft with said systems such that the operation is fully compliant with the PUBLIC LAW 112–95—FEB. 14, 2012 statement:

(4) the aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft;

Therefore, additional interpretation by the FAA is not required especially when such model aircraft are being operated at an established AMA flying site.

In conclusion, the FAA should adopt the existing guidelines established by the AMA for safe operation of model aircraft and embrace the use of the National Airspace by the **entire** model aviation community.