



## **MEDIA RELEASE**

### **Academy of Model Aeronautics**

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Date: June 30, 2014  
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## **Academy of Model Aeronautics encourages modeling community to respond to FAA's interpretation of the Special Rule for Model Aircraft**

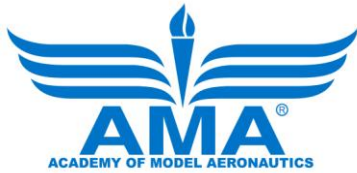
The Academy of Model Aeronautics has issued an action alert to its membership, partnering organizations, and aeromodeling media requesting immediate response to FAA's interpretation of the Special Rule for Model Aircraft, released June 23. The purpose of the action alert is to notify the FAA through public comment that this rule significantly impacts the entire aeromodeling community and that this community is resolute and committed to protecting the hobby.

### **AMA's Areas of Concern Regarding the FAA Interpretive Rule for Model Aircraft**

The Academy has reviewed the rule and is extremely disappointed and troubled by the approach the FAA has chosen to take in regards to this issue.

To help you respond to the FAA, we have outlined AMA's major concerns in the bullets below. A more in depth explanation of our concerns can be found at [AMA's Concerns](#).

- Throughout the rule the FAA takes great latitude in determining Congress' intentions and in placing tightly worded restrictions through its "plain-language" interpretation of the text.
- The FAA uses the plain language doctrine to create a regulatory prohibition of the use of a specific type of technology.
- FAA's overreaching interpretation of the language in the Public Law is evident in the rule's interpretation of the requirement that model aircraft be "flown strictly for hobby or recreational use."
- Although the FAA acknowledges that manned aviation flights that are incidental to a business are not considered commercial under the regulations, the rule states that model aircraft flights flown incidental to a business are not hobby or recreation related.
- The rule overlooks the law's clear intention to encompass the supporting aeromodeling industry under the provision of the Special Rule, "aircraft being developed as a model aircraft." The rule's strict interpretation of hobby versus business puts in question the activities of the principals and employees of the billion dollar industry that supplies and supports the hobby.
- The Public Law states that when model aircraft are, "flown within 5 miles of an airport, the operator of the aircraft (must) provide(s) the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport) with prior notice of the operation. However the rule indicates that approval of the airport operator is required. Although it is



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understood that making notification to the airport and/or ATC will open a dialog as to whether the planned activity is safe to proceed, there is no intent in the law that this be a request for permission on the part of the model aircraft pilot.

- The Interpretive Rule establishes new restrictions and prohibitions to which model aircraft have never been subject. This is counter to the Public Law which reads, "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 established criteria are met.
- The Interpretive Rule attempts to negate the entire Public Law by stating, "Other rules in part 91, or other parts of the regulations, may apply to model aircraft operations, depending on the particular circumstances of the operation. This in and of itself makes model aircraft enthusiasts accountable to the entire litany of regulations found in Title 14 of the Code of Federal Regulations, something that was never intended by Congress and until now never required by the FAA.

### **How to Respond to the FAA.**

All AMA members, hobby-related businesses and organizations, family, and friends need to respond to the rule no later than July 25, 2014.

There are four methods to submit a comment. Emailing your comment is the fastest and most convenient method. All comments must include the docket number FAA-2014-0396. [Tips for submitting your comments.](#)

Email: Go to <http://www.regulations.gov>. Follow the online instructions for sending your comments electronically.

Mail: Send Comments to Docket Operations, M-30; US Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

Hand Delivery: Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Fax: (202) 493-2251.

**DEADLINE TO COMMENT: On or before July 25, 2014**

The FAA Interpretive Rule addressing Special Rule for Model Aircraft can be found online, [http://02b954f.netsolhost.com/docs/model\\_aircraft\\_spec\\_rule.pdf](http://02b954f.netsolhost.com/docs/model_aircraft_spec_rule.pdf).

The Academy of Model Aeronautics response to the rule can be found online, <http://www.modelaircraft.org/files/FAAInterpretiveRule.pdf>.

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