

September 25, 2014

On September 25, 2014, the Federal Aviation Administration ("FAA") granted six movie companies exemptions to use small unmanned aerial vehicles ("sUAVs") or "drones" for closed set filming and movie production. Cooley represented seven production companies in filing these ground breaking exemptions from the FAA's blanket prohibition on commercial sUAV operations within the continental United States. The seventh exemption is pending and is expected to be issued shortly.

These exemptions are the first approvals issued by the FAA allowing any commercial operation of small unmanned aerial vehicles in the continental United States. Applications for exemptions were filed for all seven companies on May 27th.

The exemptions will allow three-person teams to operate "quad copters," small unmanned aircraft weighing less than 55 lbs. With these approvals, the movie industry will realize significant cost savings and important safety advances. Conventional manned aircraft must be flown to movie sets, which are sometimes in congested areas; these larger manned aircraft carry not only a pilot but also film crews and flammable fuel. In contrast, a sUAV is carried to the set, is battery powered, and weighs no more than 55 lbs. Operated remotely and within visual line of sight, the sUAV can maneuver in close proximity to actors and structures where larger conventional manned aircraft cannot even fly.

The FAA has authorized six test sites around the country for study and research regarding unmanned aerial vehicles and is collecting information to help in developing regulatory standards. Later this year, the FAA is expected to release a notice of proposed rulemaking seeking comment on industry-wide regulations for commercial operation of sUAV. Cooley's attorneys are experienced in advising clients on the best strategies to follow during this rulemaking process.

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