



FAA Update: Actively Tethered UAS

Checklist for Tethered Public Aircraft 49 USC §44806 Operations

(Actively Tethered UAS – Section 346 of the FAA’s 2018 Reauthorization Act)

- Does your agency qualify as a Public Aircraft Operation (PAO)?** The government entity must qualify under the statutory definitions in 49 U.S.C. 40102(a)(41)(C),(D), or (F) in order to meet the requirements of a Public Aircraft Operation. (49 U.S.C. 40102(a)(41) (See also Advisory Circular 00-1.1B https://www.faa.gov/regulations_policies/advisory_circulars/index.cfm/go/document.information/documentID/1034871)
- Is the UAS operation a governmental function?** The operation must constitute a governmental function as defined by law. (49 U.S.C. 40125 (a)(2))
- Is the UAS registered?** The aircraft used for the operation is required to be registered which can be done at https://www.faa.gov/uas/getting_started/register_drone/ (49 USC 44101-44103)(14 CFR 48.15)
- Is the UAS complying with the operational altitudes of 49 USC 44806?** The aircraft is to be operated at an altitude of less than 150 feet above ground level (AGL). Please note that AGL is the height measured from the ground. (49 USC 44806 (c)(1)(A))
- Is the UAS operation complying with the 49 USC 44806?** The aircraft is not to be operated directly over non-participating persons (anyone not involved with the operation of the UAS); the aircraft is being operated within visual line of sight of the operator; and the aircraft is to be operated in a manner that does not interfere with and gives way to other aircraft. The take-off weight of the aircraft (not including the tethered line but including payload) must weigh 4.4 pounds or less. (49 USC 44806 (c)(1)(C) – (E)) (49 USC 44801 (1)(A))
- Is the UAS operation complying with airspace rules, controls, and restrictions?** The aircraft is to be operated within class G airspace or, at or below the ceiling depicted on the FAA’s published UAS facility maps in controlled airspace for class B, C, D, or E surface area airspace. Operations in special use airspace—for example, prohibited areas, restricted areas, and warning areas where certain limitations are imposed on aircraft operations or where activities are confined—require further coordination with the FAA. Please contact the FAA regarding operations in special use airspace. (49 USC 44806 (c)(1)(B))
- Is the tethered line strong enough to prevent the UAS from flying away?** The actively tethered UAS must be physically attached to a ground station with a taut, appropriately load-rated tether that provides continuous power to the UAS and is unlikely to be separated from the UAS. (49 USC 44801(1)(B))

The operation must be able to comply fully with the 49 USC 44806 to legally operate as a Public Actively Tethered UAS. You can contact Mike O’Shea at michael.oshea@faa.gov if you have additional questions or need further clarification.