

Earlier this year the Federal Aviation Administration (FAA) opened the doors for U.S. commercial operations of small unmanned aircraft systems (SAUS) - also referred to as unmanned aviation systems (UAS) or unmanned aerial vehicles (UAV), and more commonly called drones.

The predominant commercial SAUS use is aerial photography and filming, widely utilized by commercial and residential real estate companies, news organizations and film/production companies, but there is a wide range of other commercial applications of drones beyond aerial imagery. For example, I've also been hired to conduct (and record) inspections of large structures and commercial properties, and to search a wilderness area in Orange County for a missing dog. Farmers and agricultural companies can use drones to monitor crops, land management firms can use drones equipped with special sensors to analyze soil or water quality, first responders could use them in search and rescue operations, utility companies can use them for power line or cell tower inspections – even railroads can use drones to inspect long stretches of railroad tracks. The commercial application of SAUS will continue to expand as new technology offers solutions for these mentioned, and many others.

The FAA predicts that there will be over 60,000 certified SAUS operators this year and some 1.3 million commercial drone pilots by the year 2020. There is no shortage of legitimate operators in Southern California, **but before you hire a drone pilot for your business needs, there are some important things you need to know and three vital questions you need to ask.**

The new FAA Part 107 rule allows the commercial use of drones, but by law, any commercial SAUS operation in the national airspace requires a registered aircraft, a remote pilot certificate (FAA license) and only operation within in non-restricted, Class G airspace; operations inside Class B, C or D airspace must obtain prior approval before the operation via a waiver application. Drones can only be operated during daylight, unless specific permission is granted under a waiver.

1: Is your drone registered? Please provide a copy of the registration. Just like automobiles must be registered and issued a license plate, every SAUS must be registered with the FAA before flying. When registered, each individual aircraft is given a registration number that must be displayed on the aircraft (just like a license plate on your car).

2: Are you FAA certified to fly commercial operations? Please provide a copy of your remote pilot certificate (also referred to as drone pilot's license). Currently there is no way to verify if somebody is a legitimately FAA approved SAUS operator other than the actual certificate issued, so it is incumbent upon you to verify the pilot's credentials by asking for documentation. Prior to Part 107 taking effect the FAA issued exemptions for commercial operators, so you might have a prospective contractor indicate they are covered under a 333 exemption, however I suggest that you **only hire a remote pilot with an actual FAA certification** as most insurance companies will

only insure those who are certified and do not cover exemptions. Which leads to the final, most important question....

3: Do you have liability insurance? Please provide valid proof on insurance. You should only hire a drone operator who has liability insurance covering the specific operation you are contracting them for, and it is incumbent upon you to verify that. I cannot stress this enough! Accidents happen, even to the most careful and experienced SAUS pilots. Let's say that you a real estate broker and contract an SUAS operator to film footage of a luxury listing; during the filming a sudden gust of wind causes a [fly-away incident](#) and the drone crashes into power lines, knocking out power to thousands of homes. Guess who could be legally liable for that, along with the pilot? That's right: you as the person who contracted the flight. In order to protect yourself, always ensure that the drone pilot has current insurance that covers your specific job and verify that with proof of insurance.

You can find a summary of the [FAA part 107](#) rules and operational guidelines online at the FAA website www.faa.gov.

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