



U.S. Department
of Transportation

Federal Aviation
Administration
MAR 22 2017

Jason Blair
3768 Allegan Dam Road
Allegan, MI 49010

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

Re: Request for Legal Interpretation Regarding Equipage for Certain Unmanned Aircraft System Operations

Dear Mr. Blair:

This letter responds to your August 4, 2016 request for interpretation of 14 CFR 91.215(b)(2) and (d) as applied to the operation of small unmanned aircraft systems (UAS).¹ This letter provides an explanation of where to find the information responsive to your request. In your letter, you note that an "FAA FAQ document" states that part 107 operations need not comply with part 91 unless explicitly directed by part 107, but that you could not find supporting regulations for this statement.

Section 91.1(f) is explicit in its treatment of part 107:

Except as provided in §§ 107.13, 107.27, 107.47, 107.57, and 107.59 of this chapter, this part does not apply to any aircraft governed by part 107 of this chapter.

Paragraphs (b)(2) and (d) of § 91.215 are not specifically identified in part 107 as applicable to operations conducted under that part. In cases in which the FAA grants a waiver authorizing a deviation from a regulation in part 107, however, the FAA may opt to include certain requirements that are similar to requirements found in part 91 or other rules. Section 107.200, which applies to such waivers, indicates the FAA makes such decisions on a case-by-case basis and may prescribe terms and conditions that the Administrator considers necessary.

We appreciate your patience and trust that the above responds to your inquiry. If you need further assistance, please contact my staff at (202) 267-3073. This response was prepared by Courtney Freeman, an attorney in the Regulations Division of the Office of the Chief Counsel, and coordinated with the General Aviation and Commercial Division of the Flight Standards Service and the Unmanned Aircraft Systems Integration Office.

Sincerely,

Lorelei Peter
Assistant Chief Counsel for Regulations

¹ Section 91.215 addresses ATC transponder and altitude reporting equipment and use.